A

TRUE COPY

OF THE

JOURNAL

OF

The High-Court of Justice

FOR THE

TRYAL

OF

King *CHARLES* I.

As it was Read in the

HOUSE of COMMONS,

AND

Attested under the Hand of PHELPS, Clerk to that Court.

Taken by *J. NALSON*, LL D. *Jan.* 4. 1683.

DUBLIN: Re-Printed for R. GUNNE, in *Capel-street*.
MDCCXXXI.

BRITISH LIBRARY MUSEUM 30 GB MAY

Advertiſement.

MR. RAPIN having waved the Circumſtances of the TRYAL of King CHARLES I. it is not doubted that this JOURNAL which is looked upon as the moſt particular and authentick Account of that famous TRYAL, will be greatly acceptable to the Purchaſers of his HISTORY of *England*; for whoſe Service it is here preſented in a proper Manner to be bound up with it.

A

JOURNAL

OF THE

PROCEEDINGS

OF THE

The High-Court of Justice

ERECTED

By Act of the Commons of *England*, Intituled, *An Act of the Commons of* England, *Assembled in Parliament, for Erecting of a High-Court of Justice, for the Trying and Judging of* Charles Stuart, *King of* England. The Tenour whereof followeth, *viz.*

The ACT.

An Act of the Commons of *England* Assembled in Parliament, for Erecting of a High-Court of Justice, for the Trying and Judging of *Charles Stuart*, King of *England*.

Whereas it is notorious, That Charles Stuart, *the now King of* England, *not content with those many Encroachments which his Predecessors had made upon the People in their Rights and Freedoms, hath had a wicked Design totally to Subvert the Ancient and Fundament Laws and Liberties of this Nation, and in their place to introduce an Arbitrary and Tyrannical Government, and that besides all other evil-ways and means to bring this Design to pass, he hath prosecuted it with Fire and Sword, levied and maintained a cruel War in the Land, against the Parliament and Kingdom, whereby the Country hath been miserably wasted, the Publick Treasure Exhausted, Trade decayed, thousands of*

People murdered, and infinite other miſchiefs committed; For all which high and treaſonable Offences, the ſaid Charles Stuart *might long ſince juſtly have been brought to examplary and condign Puniſhment: Whereas alſo, the Parliament, well hoping that the Reſtraint and Impriſonment of his Perſon, after it had pleaſed God to deliver him into their hands, would have quieted the diſtempers of the Kingdom, did forbear to proceed judicially againſt him; but found by ſad Experience, that ſuch their Remiſneſs ſerved only to encourage him and his Complices in the continuance of their evil practices, and in raiſing of new Commotions, Rebellions, and Invaſions; for prevention therefore of the like or greater Inconveniencies, and to the end no Chief Officer or Magiſtrate whatſoever may hereafter preſume traiterouſly and maliciouſly to imagine or contrive the Enſlaving or Deſtroying of the* Engliſh *Nation, and to expect Impunity for ſo doing. Be it Ordained and Enacted by the Commons in Parliament, and it is hereby Ordained and Enacted by Authority thereof, That* Thomas *Lord* Fairfax, Oliver Cromwell, Henry Ireton, *Eſquires, Sir* Hardreſs Waller, *Knight*, Philip Skippon, Valentine Wauton, Thomas Harriſon, Edward Whaley, Thomas Pride, Iſaac Ewer, Richard Ingoldsby, Henry Mildmay, *Eſquires, Sir* Thomas Honywood, Thomas *Lord* Grey *of* Groby, Philip *Lord* Lisle, William *Lord* Mounſon, *Sir* John Danvers, *Sir* Thomas Malverer *Baronet, Sir* John Bourchier, *Sir* James Harrington, *Sir* William Allanſon, *Sir* Henry Mildmay, *Sir* Thomas Wroth, *Knights, Sir* William Maſham, *Sir* John Barrington, *Sir* William Brereton, *Baronets*, Robert Wallop, William Heveningham, *Eſquires*, Iſaac Pennington, Thomas Atkins, Rowland Wilſon, *Alderman of the City of* London, *Sir* Peter Wentworth, *Knight of the* Bath, Henry Martin, William Purefoy, Godfrey Boſvile, John Trenchard, Herbert Morley, John Berkſtead, Matthew Tomlinſon, John Blackiſton, Gilbert Millington, *Eſquires, Sir* William Conſtable, *Baronet*, Edmond Ludlow, John Lambert, John Hutchinſon, *Eſquires, Sir* Arthur Heſilrige, *Sir* Michael Liveſey, *Baronets*, Richard Salwey, Humphrey Salwey, Robert Tichbourn, Owen Roe, Robert Manwaring, Robert Lilbourn, Adrian Scroop, Richard Deare, John Okey, Robert Overton, John Huſon, John Desborough, William Goff, Robert Duckenfield, Cornelius Holland, John * Carey, *Eſquires, Sir* William Armyn, *Baronet*, John Jones, *Eſq*; Miles Corbet, Francis Allen, Thomas Liſter, Benjamin Weſton, Perigrin Pelham, John Gourdon, *Eſquires*, Francis Thorp, *Serjeant at Law*, John Nutt, Thomas Challoner, Algernon Sydney, John Anlaby, John Moore, Richard Darley, William Say, Joh. * Aldred, John Fagg, James Nelthorp, *Eſquires, Sir* William Roberts, *Knight*, Francis Laſtells, Alexander Rigby, Henry Smith, Edmond Wild, James Challoner, Joſias Berners, Dennis Bond, Humphrey Edwards, Gregory Clement, John Fry, Thomas Wo-

---

* This ought to be Carew. * *Allured.*

gan

gan, *Eſquires*, *Sir* Gregory Norton, *Baronet*, John Bradſhaw *Serjeant at Law*, Edmond Harvey, John Dove, John Ven, *Eſquires*, John Fowks *Alderman of the City of* London, Thomas Scot, *Eſq*; Thomas Andrews, *Alderman of the City of* London, William Cawley, Abraham Burrell, Anthoney Stapely, Roger Gratwick, John Downs, Thomas Horton, Thomas Hammond, George Fenwick, *Eſquires*, Robert Nicholas, *Serjeant at Law*, Robert Reynolds, John Liſle, Nicholas Love, Vincent Potter, *Eſquires*, *Sir* Gilbert Pickering, *Baronet*, John Weaver, Roger Hill, John Lenthall, *Eſquires*, *Sir* Edward Banton, John Corbet, Thomas Blunt, Thomas Boon, Auguſtine Garland, Auguſtine Skinner, John Dixwell, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Daniel Blagrave, *Eſquires*, *Sir* Peter Temple, *Knight and Baronet*, Thomas Wayte, John Brown, John Lowry, *Eſquires*, *Shall be, and are hereby Appointed and Required to be Commiſſioners and Judges, for the Hearing, Trying, and Adjudging of the ſaid* Charles Stuart. *And the ſaid Commiſſioners, or any Twenty or more of them, ſhall be, and are hereby Authorized and Conſtituted an High-Court of Juſtice to meet and ſit at ſuch convenient time and place, as by the ſaid Commiſſioners, or the major part of Twenty or more of them under their Hands and Seals, ſhall be appointed and notified by publick Proclamation in the great Hall or Palace-Yard* at Weſtminſter, *and to adjourn from time to time, and from place to place, as the ſaid High-Court or major part thereof meeting ſhall hold fit; and to take order for the charging of him the ſaid* Charles Stuart *with the Crimes and Treaſons abovementioned; and for the receiving of his perſonal Anſwer thereunto, and for the examination of Witneſſes upon Oath, which the Court hath hereby Authority to adminiſter, or otherwiſe, and taking any other Evidence concerning the ſame, and thereupon, or in default of ſuch Anſwer, to proceed to final Sentence, according to Juſtice, and the merit of the Cauſe, and ſuch final Sentence to execute or cauſe to be executed ſpeedily and impartially. And the ſaid Court is hereby Authorized and required to appoint and direct all ſuch Officers, Attendants and other circumſtances as they or the major part of them ſhall in any ſort judge neceſſary or uſeful for the orderly and good managing of the Premiſes. And* Thomas *Lord* Fairfax *the General, and all Officers and Soldiers under his command, and all Officers of Juſtice, and other well affected Perſons are hereby Authorized and required to be aiding and aſſiſting unto the ſaid Court in the due Execution of the Truſt hereby committed. Provided, That this Act, and the Authority hereby granted; do continue in force, for the ſpace of one Month from the making hereof, and no longer.*

Hen. Scobell *Cler. Par. Dom. Com.*

In

In purſuance of which ſaid Act, the Houſe of Commons Ordered as followeth, viz. Die Sabbati, 6. Jan. 1648.

ORdered by the Commons Aſſembled in Parliament, That the Commiſſioners nominated in the Act for erecting of an High-Court of Juſtice, for the Trying and Judging of *Charles Stuart*, King of *England*, do meet on *Monday* next, at two of the Clock in the Afternoon, in the *Painted Chamber*.

By Virtue of which ſaid recited Act, and of the ſaid Order grounded thereupon, the Commiſſioners whoſe Names are here under-written, met on *Monday*, the ſaid eighth Day of *January*, 1648, in the ſaid *Painted Chamber* at *Weſtminſter*, where the ſaid Act was openly read, and the Court called.

Commiſſioners preſent

Thomas *Lord* Faifax.
Oliver Cromwell, *Eſq;*
Henry Ireton, *Eſq;*
Sir Hardreſs Waller.
Valentine Wauton.
Edward Whaley.
Thomas Pride.
Iſaac Ewers.
Sir Gregory Norton, *Bar.*
Peter Temple, *Eſq;*
John Ven. *Eſq;*
Thomas Challoner, *Eſq;*
Henry Martin, *Eſq;*
John Berkſtead, *Eſq;*
Gilbert Millington, *Eſq;*
Richard Deane, *Eſq;*
Cornelius Holland, *Eſq;*
John Jones, *Eſq;*
John Aldred, *Eſq;*
Henry Smith, *Eſq;*
John Liſle, *Eſq;*
James Temple, *Eſq;*
Adrian Scroope, *Eſq;*
Edmond Ludlow, *Eſq;*
John Huſon, *Eſq;*
Thomas Harriſon, *Eſq;*
Nicholas Love, *Eſq;*
Thomas *Lord* Grey *of* Groby.
Sir John Danvers.
Sir Thomas Maleverer, *Bar.*
Sir John Bourchier.
Sir Henry Mildmay.
James Challoner, *Eſq;*
Gregory Clement, *Eſq;*
John Fry, *Eſq;*
Auguſtine Garland, *Eſq;*
Daniel Blagrave, *Eſq;*
Robert Tichbourn, *Eſq;*
Wil. Heveningham, *Eſq;*
William Purefoy, *Eſq;*
John Blackiſtone, *Eſq;*
William *Lord* Mounſon.
John Okey, *Eſq;*
John Carew, *Eſq;*
Peregrine Pelham, *Eſq;*
Francis Laſſells, *Eſq;*
John Downs, *Eſq;*
John Brown, *Eſq;*
John Hutchinſon, *Eſq;*
Miles Corbet, *Eſq;*
Humphrey Edwards, *Eſq;*
Edmond Harvy, *Eſq;*
William Goff, *Eſq;*

The Commiſſioners of the Court being as aforeſaid, met, and informing themſelves of the Tenor of their Commiſſion, they accordingly appoint the ſaid Court to be holden in the ſame place on *Wedneſday*, the Tenth of the ſaid Month of *January*, and ordered Proclamation thereof to be made in the great Hall at *Weſtminſter*, by *Edward Dendy* Serjeant at Arms, Authorizing him thereunto by Precept under their Hands and Seals, in theſe words following, *viz.*

By Virtue of an Act of the Commons of *England* Aſſembled in Parliament for erecting of an High-Court of Juſtice for the Trying and Judging of *Charles Stuart* King of *England*, we whoſe Names are hereunder written (being Commiſſioners, amongſt others, nominated in the ſaid Act) do hereby appoint, That the High-Court of Juſtice mentioned in the ſaid Act, ſhall be holden in the *Painted Chamber*, in the Palace of *Weſtminſter* on *Wedneſday the* tenth Day of this inſtant *January*, by One of the Clock in the afternoon; and this we do appoint to be notified by Publique Proclaiming hereof in the great Hall at *Weſtminſter*, to morrow being the ninth Day of this Inſtant *January*, betwixt the hours of Nine and Eleven in the Forenoon. In Teſtimony whereof we have hereunto ſet our Hands and Seals this eighth Day of *January*, *Anno Domini* 1648.

We the Commiſioners whoſe Names are hereunto Subſcribed, do hereby Authorize and Appoint *Edward Dendy* Serjeant at Arms, to cauſe this to be Proclaimed according to the Tenor thereof, and to make due Return of the ſame with this Precept to the ſaid Court at the time and place above-mentioned.

Sealed and Subſcribed by

William Monſon.
Tho. Grey.
Oliver Cromwell.
Gregory Norton.
Henry Ireton.
H. Edwards.
John Hutchinſon.
Har. Waller.
William Conſtable.
John Liſle.
Henry Martin.
Valentine Wauton.
John Blackiſtone.
Gilbert Millington.
Adrian Scroope.
James Temple.
James Chaloner.
Thomas Harriſon.
John Jones.
John Huſon.
Pregr. Pelham.
Edward Ludlow.
John Berkſtead.
Peter Temple.
Edw. Whaley.
John Okey.
Rob. Tichbourn.
Thomas Pride.
Henry Smith.
Thomas Maleverer.
Thomas Challoner.
John Fry.
John Bourchier.
John Carew.
Aug. Garland.
Richard Deane.
Daniel Blagrave.

Which

Which ſaid Precept is thus returned on the Backſide, *viz.* I have cauſed due Proclamation to be made hereof according to the Tenor of the Precept within written.

E. Dendy, Serjeant at Arms.

And in order to the more regular and due proceedings of the ſaid Court, they nominate Officers, and accordingly choſe Mr. *Aske*, Dr. *Doriſlaus*, Mr *Steel*, and Mr. *Cooke* Council, to attend the ſaid Court, Mr. *Greaves* and Mr *John Phelpes*, Clerks, to whom notice thereof was ordered to be given.

Mr. *Edward Walford*, Mr. *John Powel*, Mr. *John King*, Mr. *Phineas Payne*, and Mr. *Hull* are choſen Meſſengers to attend this Court.

January the Ninth, 1648. According to the Precept of the Eighth inſtant, Serjeant *Dendy* made Proclamation for the ſitting of the ſaid Court, in manner following, *viz.*

About Ten of the Clock of the ſame Day, the ſaid Serjeant being attended with ſix Trumpets, and a Guard of two Troops of Horſe, himſelf with them on Horſeback, bearing his Mace, rideth into the middle of *Weſtminſter-Hall*, (the Court of Chancery then ſitting at a general Seal) where, after the ſaid Trumpets ſounding (the Drums then likewiſe beating in the Palace-yard) he cauſeth the ſaid Precept to be openly read, which being done, the Houſe of Commons at the ſame time ſitting, Order as followeth,

Die Martis, 9 Januarii, 1648.

'Ordered by the Commons Aſſembled in Parliament. That the 'ſame Proclamation that was made this Morning in *Weſtminſter-Hall* 'touching the Tryal of the *King*, be made at the *Old Exchange*, and 'and in *Cheapſide*, forthwith, and in the ſame manner, and that 'Serjeant *Dendy*, the Sea'eant at Arms, do Proclaim the ſame accord-'ingly, and that the Guard that lieth in *Paul's*, do ſee the ſame 'done.

In purſuance whereof Serjeant *Dendy* about Twelve of the Clock of the ſame Day, accompanied with ten Trumpets and two Troops of Horſe, drawn out for that purpoſe in *Paul's* Church-Yard, himſelf mounted, bearing his Mace, they all march from thence unto the *Old Exchange*, *London*, where after the Trumpets had ſounded, he maketh Proclamation as he had done before in *Weſtminſter Hall*: And from thence they immediately march to *Cheapſide*, making the like Proclamation there alſo, in manner as aforeſaid; during all which Time the Streets are throng'd with Spectators, without the leaſt Violence, Injury or Affront, publiquely done or offered.

Mercurii,

Mercurii, 10 *Januarii*, 1648. Commiſſioners preſent, *Painted Chamber.*

Oliver Cromwell, *Eſq;*
Henry Ireton, *Eſq;*
Sir Hardreſs Waller, *Knight.*
Valentine Wauton, *Eſq;*
Edward Whaley, *Eſq;*
Thomas Harriſon, *Eſq;*
Thomas Pride, *Eſq;*
Sir Thomas Malverer, *Baronet.*
James Challoner.
Sir John Danvers.
John Fry.
Sir Gregory Norton.
Auguſtine Garland.
Peter Temple.
Daniel Blagrave.
John Ven.
Henry Martin.
William Purefoy.
John Blackiſtone.
Gilbert Millington.
Edmond Ludlow.
John Hutchinſon.
John Corbet.
Robert Tichbourne, *Eſq;*
Owen Roe, *Eſq;*
John Dean, *Eſq;*
John Huſon, *Eſq;*
Cornelius Holland, *Eſq;*
John Carew, *Eſq;*
Thomas Liſter, *Eſq;*
Sir Henry Mildmay, *Knight.*
Thomas Challoner, *Eſq;*
Peregrine Pelham, *Eſq;*
John Moor, *Eſq;*
William Say, *Eſq;*
Francis Laſſells, *Eſq;*
Henry Smith, *Eſq;*
Thomas Scot, *Eſq;*
Nicholas Love, *Eſq;*
Vincent Potter, *Eſq;*
Adrian Scroope, *Eſq;*
John Dixwell, *Eſq;*
John Liſle, *Eſq;*
John Okey, *Eſq;*
John Berkſtead, *Eſq;*

The Court being ſat in the Place aforeſaid, began to take into conſideration the manner and order that they intended to obſerve at the King's Tryal, and appointed two Uſhers of the Court, *viz.* Mr. *Edward Walford*, and Mr. *Vowell*, and Mr. *Litchman* was choſen a Meſſenger of this Court.

John Bradſhaw Serjeant at Law a Commiſſioner of this Court, was then choſen Preſident of the ſaid Court, who being abſent. Mr. *Say* one of the Commiſſioners then preſent, was appointed Preſident *Pro tempore*, and until the ſaid Serjeant *Bradſhaw* ſhould attend the ſaid Service, the ſaid Mr. *Say* accordingly took his place, and gave the thanks of this Court to Mr. *Garland*, one of the Commiſſioners of this Court. for his great pains by him formerly taken about the buſineſs of this Court.

The Court were informed of the great and important Imployment that at preſent lay upon Mr. *Greaves* in the behalf of the *Common-wealth*, from which he cannot be ſpared without prejudice to the Publique; and it was therefore moved in his behalf, that he might be Excuſed from attending the ſervice of one of the Clerks of the ſaid Court, which the Court admitted as a ſufficient Excuſe,

and thereupon Mr. *Andrew Broughton* was named and appointed one of the Clerks of this Court with *John Phelpes*, the ſaid *John Phelpes* being then ſent for by a Meſſenger of the Court, and accordingly making his appearance, was commanded to attend the ſaid ſervice, who attended the ſame accordingly, and a Meſſenger of the Court was ſent to Summon the ſaid Mr. *Broughton.*

Mr. *Aske*, Mr. *Steel*, Dr. *Doriſlaus* and Mr. *Cooke*, are appointed Councel in the behalf of the Common-weath, to prepare and proſecute the Charge againſt the King, according to the Act of the Commons Aſſembled in Parliament in that behalf, and in particular, the Court did appoint Mr. *Steel*, Attorney, and Mr. *Cooke*, Solicitor, to take care thereof. And the Act for Conſtituting the ſaid Court, was ordered to be tranſcribed, and delivered to the ſaid Council; which was done accordingly.

Mr. *Love*, Mr. *Liſle*, Mr. *Millington*, Mr. *Garland*, Mr. *Marten*, Mr. *Tho. Challoner*, Sir *John Danvers*, and Sir *Henry Mildmay*, or any two of them are appointed a Committee to conſider of all circumſtances in matter of order and method for the carrying on and managing the King's Tryal, and for that purpoſe to adviſe with the Councel aſſigned, to prove the Charge againſt the King, and to make Report therein, the next Sitting, and the care of the buſineſs is particularly recommended to Mr. *Love.*

Edward Dendy Serjeant at Arms, made return of the Precept of the Eighth inſtant, for proclaiming the ſitting of the Court, which was received; the ſaid Serjeant *Dendy* having proclaimed the ſame by the ſound of Trumpet in *Weſtminſter-Hall*, as alſo at the *Old Exchange*, and in *Cheapſide.*

Edward Dendy Serjeant at Arms, is appointed Serjeant at Arms, to attend the ſaid Court; Mr. *John King* is appointed Cryer of the ſaid Court.

The Court having thus made preparations for the ſaid Tryal (during all which time they ſate private) the doors are now opened for all parties, that had any thing to do there to give their attendance.

Three Proclamations being made by the Cryer, the Act for conſtituting the ſaid Court, was openly read, and the Court called, the Commiſſioners preſent, were as before-named.

The Commiſſioners that were abſent, were ordered to be ſummoned to attend the ſaid Service, and Summons were iſſued forth accordingly.

The Court Adjourned it ſelf till *Friday*, Jan 12*th* at Two of the Clock in the Afternoon, to the ſame place.

Januarii 12, 1648.

At which time the Commiſſioners Preſent were as afternamed.

Die Veneris, 12 Januarii, 1648. *Painted Chamber.*

Commiſſioners Preſent.

Oliver Cromwell, *Eſq;*
Sir John Danvers.
Thomas Hammond, *Eſq;*
Peregr. Pelham, *Eſq;*
Herbert Morley, *Eſq;*
James Temple, *Eſq;*
William Say, *Eſq;*
John Huſon, *Eſq;*
Sir John Bourchier, *Kt.*
John Bradſhaw, *Serj. at Law.*
Gilbert Millington, *Eſq,*
John Moore, *Eſq;*
John Brown, *Eſq;*
John Fry, *Eſq;*
Sir Hardreſs Waller, *Kt.*
Adrian Scroope, *Eſq;*
Thomas Challoner, *Eſq;*
Thomas Pride, *Eſq;*
John Liſle, *Eſq;*
Owen Roe, *Eſq;*
Thomas Scot, *Eſq;*
John Jones, *Eſq;*
John Carew, *Eſq;*
John Fagg, *Eſq;*
Henry Martin, *Eſq;*
John Blackiſtone, *Eſq;*
John Dove, *Eſq;*
Henry Smith, *Eſq;*
John Venn, *Eſq;*
John Downs, *Eſq;*
Nicholas Love, *Eſq;*
Thomas Harriſon, *Eſq;*
John Berkſtead, *Eſq;*
With divers more.

Serjeant *Bradſhaw*, upon ſpecial Summons, attended this Court, being one of the Commiſſioners thereof, and being according to former Order, called to take his Place of Preſident of the ſaid Court, made an earneſt Apology for himſelf to be excuſed; but therein not prevailing, in obedience to the Commands and Deſires of this Court, he ſubmitted to their Order, and took place accordingly; and thereupon the ſaid Court Ordered concerning him as followeth, *viz.* That *John Bradſhaw*, Serjeant at Law, who is appointed Preſident of this Court, ſhould be called by the Name, and have the Title of *Lord Preſident*, and that as well without, as within the ſaid Court, during the Commiſſion and Sitting of the ſaid Court: Againſt which Title he preſſed much to be heard to offer his Exceptions, but was therein over-ruled by the Court.

Mr. *Andrew Broughton* attended according to former Order, and it was thereupon again Ordered, That *Andrew Broughton* and *John Phelpes* Gent. be, and they are hereby conſtituted Clerks of the ſaid Court, and enjoined to give their Attendance, from time to time accordingly.

Ordered, That the Council aſſigned, or ſuch as They, or any of Them ſhall appoint, ſhall have power to ſearch for all Records

and Writings concerning the King's Tryal, and to take into their cuſtody, or order the producing of all ſuch Records, and Papers, or Copies thereof, by any Clerk or other Perſon whatſoever, at or before the ſaid Tryal, as they ſhall judge requiſite, the ſaid Council giving a Note under their Hands of their Receipt of all ſuch Original Books, and Papers. which they ſhall ſo take into their cuſtody. And that the ſaid Councel ſhall have Power to ſend for ſuch Perſon or Perſons at or before the ſaid Tryal, and to appoint by Writing under their Hands, their Attendance for the Service of the State in this Buſineſs, as they ſhall think requiſite, requiring all Perſons concerned, to yield Obedience thereunto at their perils.

Sir *Hardreſs Waller* Knight, and Colonel *Harriſon* are Ordered to deſire the Lord General from time to time to appoint ſufficient Guards, to attend and guard the ſaid Court during their ſitting.

Ordered, That Colonel *Tichbourne*, Colonel *Roe*, Mr. *Blackiſtone*, and Mr. *Fry*, Members of this Court, ſhall and do make Preparations for the Tryal of the King, That it may be performed in a ſolemn Manner; and that they take care for other neceſſary Proviſions and Accommodations in and about that Tryal, and are to appoint and command ſuch Workmen in and to their Aſſiſtance, as they ſhall think fit.

Mr. *Love* Reporteth from the Committee appointed *Jan.* 10*th* inſtant, to conſider of the Circumſtances in Matters of Order for Tryal of the King: And it is thereupon Ordered, That in managing the Proceedings in open Court at the time of the King's Tryal, none of the Court do ſpeak, but the *Precident* and *Counſel*, and in caſe of any Difficulty ariſing to any one, that he ſpeak not to the Matter openly, but deſire the *Preſident* that the Court may pleaſe to Adviſe. By which Order, it is not intended that any of the Commiſſioners be debarred at the Examination of any Witneſs, to move the Lord Preſident to propound ſuch Queſtion to the Witneſs as ſhall be thought meet for the better diſquiſition and finding out of the Truth.

Ordered, That there ſhall be a Marſhal to attend this Court, if there be cauſe.

Ordered, That the Lord Preſident and Councel do manage the Tryal againſt the King, according to Inſtructions to be given them by the Court; and that the Committee for conſidering of all Circumſtances for the managing of the King's Tryal, do conſider of Rules and Inſtructions in that behalf and are to conſult with the Counſel, and addreſs themſelves to the Lord Preſident for Advice in the Premiſes.

Ordered, That the Councel do bring in the Charge againſt the King on *Monday* next.

The Committee for conſidering of the Circumſtances of Order for the King's Tryal. together with Sir *Hardreſs Waller*, Col *Whaley*, Mr. *Scot*, Col. *Tichbourne*, Col. *Harriſon*, Lieut. Gen. *Cromwell*, and

and Col. *Deane*, are appointed to conſider of the place for Trying the King, and make Report to Morrow in the Afternoon, and are to meet to Morrow Morning in the Inner-Court of Wards, at Nine of the Clock, and who elſe of the Court pleaſe may be there.

The Court Adjourned it ſelf till the Morrow in the Afternoon at Two of the Clock.

Sabbathi, 13 Jan. 1648.

Proclamation being made, and all Parties concerned, required to give Attendance, the Court is called openly.

Commiſſioners Preſent.

John Bradſhaw, *Serjeant at Law*, Lord Preſident *of this Court.*

Oliver Cromwell, *Eſq;*
Henry Ireton, *Eſq;*
Sir Hardreſs Waller, *Kt.*
Edward Whaley, *Eſq;*
Thomas Pride, *Eſq;*
Iſaac Ewer, *Eſq;*
Sir John Danvers.
Sir Gregory Norton.
William Purefoy, *Eſq;*
John Blackiſtone, *Eſq;*
Gilbert Millington, *Eſq;*
Sir William Conſtable, *Bar.*
John Hutchinſon, *Eſq;*
William Goff, *Eſq;*
Cornelius Holland, *Eſq;*
John Carew, *Eſq;*
Thomas Challoner, *Eſq;*
Algernon Sydney, *Eſq;*
William Say, *Eſq;*
John Fagg, *Eſq;*
Francis Laſſels, *Eſq;*
Valentine Wauton, *Eſq;*
Henry Smith, *Eſq;*
Humphrey Edwards, *Eſq;*
John Fry, *Eſq;*
Sir Thomas Maleverer, *Bar.*
William Heveningham, *Eſq;*
John Dove, *Eſq;*
John Venn, *Eſq;*
Tho. Scot, *Eſq;*
John Downes, *Eſq;*
Adrian Scroope, *Eſq;*
John Liſle, *Eſq;*
Auguſtine Garland, *Eſq;*
John Dixwell, *Eſq;*
Daniel Blagrave, *Eſq;*
John Brown, *Eſq;*

The Court being to make further Preparations for the King's Tryal, ſit private. The Serjeant at Arms is Authorized to employ ſuch other Meſſengers as ſhall be needful for the ſervice of the Court, giving in their Names to the Clerks of this Court.

Ordered, That the Serjeant at Arms do ſearch and ſecure the Vaults under the Painted Chamber, taking ſuch Aſſiſtance therein from the Souldiery as ſhall be needful.

Mr. *Garland* reporteth from the Committee for conſidering of the place for the King's Tryal; and the Court thereupon Ordered, That the ſaid Tryal of the King ſhall be at *Weſtminſter Hall*; That the Place for the King's Tryal, ſhall be where the Courts of King's Bench

Bench and Chancery, ſit in *Weſtminſter-Hall*, and that the Partitions between the ſaid two Courts, be therefore taken down; and that the Committee for making Preparations for the King's Tryal, are to take care thereof accordingly.

The Court Adjourned it ſelf till *Monday* at Two of the Clock in the Afternoon, to this Place.

Lunæ, 15 Jan. 1648.

Three Proclamations are made, and all Parties concerned, are required to give Attendance.

The Court is called openly.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.

John Dean, Eſq;
John Berkſtead, Eſq;
Iſaac Ewer, Eſq;
Robert Lilbourn, Eſq;
Thomas Hamond, Eſq;
Edward Whaley, Eſq;
Thomas Pride, Eſq;
Thomas Lord *Grey* of *Groby*.
William Lord *Mounſon*.
Sir *John Danvers*.
Sir *Thomas Maleverer*, Bar.
Sir *Tho. Wroth*.
Robert Walop, Eſq;
Henry Martin, Eſq;
William Purefoy, Eſq;
Gilbert Millington, Eſq,
Edmond Ludlow, Eſq;
John Hutchinſon, Eſq;
Adrian Scroope, Eſq;
John Okey, Eſq;
John Huſon, Eſq;
Peregrine Pelham, Eſq;
Thomas Challoner, Eſq;
John Moore, Eſq;
John Aldred, Eſq;
Henry Smith, Eſq;
James Challoner, Eſq;
Humphrey Edwards, Eſq;
Vincent Potter, Eſq;
Auguſtin Garland, Eſq;
James Temple, Eſq;
Daniel Blagrave, Eſq;
John Blackiſtone, Eſq;
Oliver Cromwell, Eſq;
Robert Tichbourne, Eſq;
John Jones, Eſq;
John Downs, Eſq;
Sir *Hardreſs Waller*.
Thomas Horton, Eſq;
Henry Ireton, Eſq;
Algernon Sydney, Eſq;
Peter Temple, Eſq;
Nicholas Love, Eſq;
Valentine Wauton, Eſq;
John Liſle, Eſq;
John Venn, Eſq;
Cornelius Holland, Eſq;
Thomas Scot, Eſq;
Sir *William Conſtable*, Bar.
Herbert Morley, Eſq;
Miles Corbet, Eſq;
John Fry, Eſq;
William Goff, Eſq;
John Fagg, Eſq;
John Carew, Eſq;
Sir *Henry Mildmay*,
Sir *Greg. Norton*, Bar.

58 Commiſſioners preſent.

Here the Court ſit private.

The

The Councel attended, and preſented to the Court the Draught of a Charge againſt the King; which being read, the Court appointed Commiſſary General *Ireton*, Mr. *Millington*, Mr. *Marten*, Col. *Harvey*, Mr. *Challoner*, Col. *Harriſon*, Mr. *Miles Corbet*, Mr. *Scot*, Mr. *Love*, Mr. *Liſle*, Mr. *Say*, or any three of them to be a Committee, to whom the Councel might reſort for their further Advice concerning any Thing of Difficulty in relation to the Charge againſt the King; who were likewiſe with the Councel to compare the Charge againſt him, with the Evidence, and to take care for the preparing and fitting the Charge for the Courts more clear Proceedings in the Buſineſſes; as likewiſe to adviſe of ſuch general Rules as are fit for the Expediting the Buſineſs of the ſaid Court, and to meet the Morrow Morning at Eight of the Clock in the *Queen's Court*.

Col. *Ludlow*, Col. *Pareſoy*, Col. *Hutchinſon*, Col. *Scroope*, Col. *Deane*, Col. *Whaley*, Col *Huſon*, Col. *Pride*, Sir *Hardreſs Waller*, Sir *William Conſtable*, together with the *Committee*, for making Preparations for the King's Tryal, or any three of them are appointed a *Committee*, to conſider of the manner of bringing the King to the Court at his Tryal, and of the Place where he ſhall be kept and lodge at, during his ſaid Tryal; and to take Conſideration of the ſecure Sitting of the ſaid Court, and placing the Guards that ſhall attend it, and are to meet to Morrow Morning at Eight of the Clock in the Inner *Star-Chamber*.

The Court taking Notice of the Nearneſs of *Hilary*-Term, and neceſſity they apprehended of Adjourning it in regard of the King's Tryal, thereupon were of Opinion, that it is fit that a Fortnight of the ſaid Term be Adjourned, and Mr. *Liſle* is deſired to move the Houſe therein.

Three Proclamations.

The Court Adjourned it ſelf till *Wedneſday* next at Eight in the Morning.

Mercurii,

Mercurii, 17 Jan. 1648

Three Proclamations are made, and all Parties concerned, are required to give Attendance.

The Court is called.

Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.
Oliver Cromwell, Eſq;
Edward Whaley, Eſq;
Thomas Lord *Grey* of *Groby*.
Sir *John Danvers*.
Sir *Tho. Maleverer*, Bar.
Sir *Hardreſs Waller*.
John Blackiſtone, Eſq;
John Berkſtead, Eſq;
Sir *William Conſtable*.
John Hutchinſon.
Robert Tichbourne.
Owen Roe.
Adrian Scroope.
Richard Deane,
John Okey.
John Huſon.
Auguſtine Garland.
Simon Meyne.
Peter Temple.
John Brown.
Thomas Scot.
Thomas Liſter.
John Jones.
Vincent Potter.
Daniel Blagrave.
William Say.
Nicholas Love.
Robert Lilbourne.
William Goff.
John Carew.
Thomas Pride.
Francis Allen.
Peregrine Pelham.
John Moore.
Francis Laſſels.
Henry Smith.
James Challoner.
Humphrey Edwards.
John Fry.
Sir *Gregory Norton*.
John Venn.
William Cawley.
Thomas Horton.
Thomas Hammond.
Iſaac Ewers.
Cornelius Holland.
Sir *John Bourchier*.
Edmond Ludlow.
Edmond Harvey.
Edmond Wild.
Thomas Heath.
William Heveningham.
Henry Marten.
William Purefoy.
John Liſle.

56 Commiſſioners preſent.

Ordered, That the Commiſſioners of this Court, who have not hitherto appeared, be ſummoned by Warrants under the Hands of the Clerks of this Court, to give their perſonal Attendance at this Court, to perform the Service to which they are by Act of the Commons of *England* Aſſembled in Parliament, apppointed and required.

Ordered, That the Serjeant at Arms attending this Court, or his Deputy do forthwith Summon all the aforeſaid Commiſſioners making default, who reſide or dwell within twenty Miles of *London*.

Particular

Particular Warrants to every one of them, were accordingly iſſued forth for their Attendance.

Upon Report made by Col. *Hutchinſon*, from the *Committee* to conſider of the manner of bringing the King to Tryal, *&c.* the *Court* Order as followeth, *viz.*

Ordered, That Sir *Robert Cotton*'s Houſe be the place where the King ſhall lodge during his Tryal.

That, the Chamber in Sir *Robert Cotton*'s Houſe next the Study, there ſhall be the King's Bed-Chamber.

That, the Great Chamber before the ſaid Lodging-Chamber, be for the King's Dining-Room, and that a Guard conſiſting of Thirty Officers and other choice Men, do always attend the King; who are to attend him at his Lodging above Stairs, and that Two of the ſaid Thirty do always attend in his Bed-Chamber.

That, Place for a Court of Guard for 200 Foot-Soldiers, be built in Sir *Robert Cotton*'s Garden, near the Water-ſide.

That, Ten Companies of Foot be conſtantly upon the Guards for ſecuring Sir *Robert Cotton*'s Houſe, and thoſe Companies to be Quartered in the Court of *Requeſts*, the *Painted Chamber*, and other neceſſary Places thereabouts.

That, the Paſſage that cometh out of the *Old Palace* into *Weſtminſter-Hall*, be made up at the Entrance of the ſaid Paſſage next the ſaid Guard.

That, the top of the Stairs at the Court of *Wards* Door, have a croſs Barr made to it.

That, the King be brought out of Sir *Robert Cotton*'s Houſe to his Tryal, the lower way into *Weſtminſter-Hall*, and ſo brought to the Barr in the Face of the Court, attended by the above ſaid Guard above Stairs.

That, two Rayls of about forty Foot diſtance from the Place where this Court ſhall ſit in *Weſtminſter-Hall*, be made croſs the ſaid Hall; for the effectual and ſubſtantial doing whereof, this Court do refer it to the care of the Committee appointed to conſider of the manner of bringing the King to Tryal; who are likewiſe to take care for raiſing the Floor in ſuch part of the Hall as they ſhall think fit, for placing of the Guards; and that a Rayl or Rayls from the Court down to the Hall-Gate, be made in ſuch manner as they ſhall think fit on the *Common-Pleas* ſide, to keep the People from the Soldiers.

That, there be Guards ſet upon the Leads, and other places that have Windows to look into the Hall.

That, the General be deſired from time to time to ſend and appoint convenient Guards of Horſe for the convenient ſitting of the Court.

That, Twenty Officers or other Gentlemen do attend upon the Lord Preſident from time to time, to and from this Court through *Weſtminſter-Hall*.

That, the Officers of the Ordnance do ſend unto this Court 200 Halberts or Partizans lying within the Tower of *London*, for the Arming of the Guards that are to attend this Court.

That, at the time of the Tryal of the King, the Commiſſioners do before their ſitting in the Court, meet in the *Exchequer-Chamber*, and do from thence come up the Hall into the Court.

That, all Back-doors from the Houſe called *Hell*, be ſtopt up during the King's Tryal.

That, Lodgings be prepared for the Lord Preſident at Sir *Abraham Williams*'s Houſe in the new *Palace-Yard*, during the ſitting of this Court, and that all Proviſions and Neceſſaries be provided for his Lordſhip.

That, Sir *Henry Mildmay*, Mr. *Holland*, and Mr. *Edwards* do take care for providing all Proviſions and Neceſſaries for the King during his Tryal.

That, Sir *Henry Mildmay*, Mr. *Holland*, and Mr. *Edwards* do likewiſe take care for all Neceſſaries for the Lord Preſident.

Ordered, That the Committee for conſidering of the manner of bringing the King to Tryal, do conſider what Habits the Officers of this Court ſhall have, who are to adviſe with ſome Heralds at Arms therein, and concerning the Ordering of the ſaid Officers.

That, a Sword be carried before the Lord Preſident at the Tryal of the King.

That, *John Humphreys*, Eſq; do bear the Sword before the Lord Preſident.

That, a Mace or Maces together with a Sword, be likewiſe carried before the Lord Preſident.

This Court doth Adjourn it ſelf to Three of the Clock in the Afternoon, *Jan.* 17. 1648. *Poſt Meridiem.*

Three Proclamations.

The Court is cleared of Stangers, and they ſit private.

The Charge againſt the King, is preſented by the Council, and ordered to be re-committed to the Committee appointed for Advice with the Councel concerning the Charge againſt the King, who are to contract the ſame, and fit it for the Court's proceeding thereupon, according to the Act of Parliament in that behalf. And the ſame Committee are likewiſe to take care for the King's coming to *Weſtminſter* to Tryal at ſuch time as to them ſhall ſeem meet, and Lieutenant General *Cromwell* is added to the ſaid Committee, and the Councel are to attend this Court with the ſaid Charge to Morrow at Two of the Clock in the Afternoon; and thereupon,

Ordered, That the Committee for conſidering of the manner of bringing the King to Tryal, do meet to Morrow Morning at Eight of the Clock in the *Exchequer-Chamber*.

The

The Court Adjourned it ſelf till the Morrow at two of the Clock in the Afternoon, to the ſame Place.

Jovis, 18 Jan. 1648.

Three Proclamations made.

Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.

Oliver Cromwell.
Edward Whalley.
Tho. Lord *Grey* of *Groby.*
Sir *John Danvers.*
Sir *Thomas Maleverer*, Bar.
Sir *Hardreſs Waller.*
John Berkſtead.
John Blackiſtone.
Sir *William Conſtable.*
John Hutchinſon.
Robert Tichbourne.
Cornelius Holland.
John Moore.
Richard Deane.
John Okey.
Thomas Hammond.
John Carew.
William L. *Mounſon.*
John Huſon.
Thomas Pride.
William Cawley.
Henry Smith.
Peter Temple.
Thomas Wogan.
George Fleetwood.
Francis Laſſels.
Adrian Scroope.
Peregrine Pelham.
John Fry.
Sir *Gregory Norton.*
Humphrey Edwards.
John Venn.
William Purefoy.
Simon Meyne.
John Brown.
Herbert Morley.

Here the Court ſit private.

Col. *Tichbourne*, one of the Commiſſioners of this Court, informeth the Court, that he was with Mr. *Steel*, Attorney of this Court, and found him in his Bed very ſick, and by reaſon thereof, not like to attend, as yet, the Service of this Court according to former Order; and deſired him the ſaid Colonel, to ſignifie. that he the ſaid Mr. *Steel* no way declineth the Service of the ſaid Court, out of any diſaffection to it, but profeſſeth himſelf to be ſo clear in the Buſineſs, that if it ſhould pleaſe God to reſtore him, he ſhould manifeſt his good Affection to the ſaid Cauſe, and that it is an Addition to his Affliction, that he cannot attend this Court, to do that Service that they have expected from him, and as he deſires to perform.

The Court Adjourned it ſelf till to Morrow Two of the Clock in the Afternoon.

Veneris, 19 Jan. 1648.

Three Proclamations. *The Court called openly.*

The Commiſſioners preſent.

John Bradſhaw, Serjeant at Law,	*Lord Preſident.*
Henry Ireton.	*Peregr. Pelham.*
Sir *Hardreſs Waller*, Kt.	*Thomas Challoner.*
Thomas Harriſon.	*Algernon Sydney.*
Edward Whalley.	*William Say.*
Iſaac Ewers.	*Francis Laſſells.*
William Lord *Mounſon.*	*Henry Smith.*
Sir *John Danvers.*	*Humphrey Edwards.*
Sir *Thomas Maleverer*, Bar.	*John Fry.*
Sir *John Bourchier*, Kt.	Sir *Gregory Norton*, Bar.
William Heveningham.	*John Dove.*
William Purefoy.	*Thomas Scot.*
John Berkſtead.	*William Cawley.*
John Blackiſtone.	*Thomas Horton.*
Gilbert Millington.	*John Liſle.*
John Hutchinſon.	*Nicholas Love.*
Sir *Michael Liveſey*, Bar.	*Vincent Potter.*
Robert Tichbourne.	*John Dixwell.*
Owen Roe.	*Simon Meyne.*
Robert Lilbourne.	*Peter Temple.*
Adrian Scroope.	*John Brown.*
Richard Deane.	*John Okey.*
John Huſon.	*William Goffe.*
Cornelius Holland.	*John Carew.*
John Jones.	

Here the Court ſate private.

Col. *Hutchinſon* Reporteth from the Committee appointed to conſider of the Habits of the Officers, and it is thereupon,

Ordered, That Three Gowns be provided for three Uſhers, and Three Cloaks for Three Meſſengers of this Court.

Mr. *Millington* reporteth from the Committee for Advice with the Councel concerning the Charge againſt the King, that the Councel have perfected the Charge, and are ready to preſent it. He likewiſe reporteth the Draught of an Order, whereby the Charge may, by the Command of this Court, be exhibited together with a Form of Words; the Effect whereof the Committee think fit to be pronounced by him that this Court ſhall appoint ſo to exhibit the ſaid Charge: Which ſaid Order and Form of Words the Court have with ſome Alterations agreed unto, as followeth;

It is Ordered, That Mr. *Attorney*, and in his Abſence, Mr. *Sollicitor* do in the behalf of the People of *England*, exhibit and bring into this Court a Charge of High-Treaſon, and other High-Crimes againſt *Charles Stuart* King of *England*, and charge him thereupon in the behalf aforeſaid.

The Form of Words are as followeth.

My Lord,

ACcording to an Order of this High-Court to me directed for that purpoſe, I do, in the Name, and on the behalf of the People of *England*, exhibit and bring into this Court a Charge of High-Treaſon, and other High-Crimes, whereof I do accuſe *Charles Stuart* King of *England*, here preſent. And I do, in the Name, and on the behalf aforeſaid, deſire the ſaid Charge may be received accordingly, and due proceedings had thereupon.

The Councel likewiſe, according to Mr. *Millington's* Report, preſent a Draught of the Charge againſt the King; which was read the firſt, and ſecond, and third Time, and referred back to the ſaid Councel, to make ſome ſmall Amendments as to the Form thereof.

Ordered, That Commiſſary Gen. *Ireton*, Col. *Whalley*, Col *Harriſon*, Sir *Hardreſs Waller*, or any two of them, do appoint the thirty Perſons that are by Order of the 17th Inſtant, to attend the King, and the Twenty that are to attend the Lord Preſident.

Ordered, That the Serjeant at Arms do ſecure Mr. *Squibb's* Gallery by ſuch ways and means as he ſhall conceive meet.

The Court Adjourned it ſelf till Nine of the Clock to Morrow Morning.

Sabbathi, 20 Jan. 1648.

Three Proclamations, and Attendance commanded.

Ordered, That Sir *Henry Mildmay* be deſired to deliver unto *John Humphreys*, Eſq; the Sword of State in his Cuſtody; which ſaid Sword the ſaid Mr. *Humphreys* is to bear before the Lord Preſident of this Court.

The Court being ſate as aforeſaid, before they engaged in further Buſineſs, the Serjeant at Arms of the Houſe of *Commons* came thither, and acquainted the Court, that the Houſe wanted their Members that were of that Court; the Court thereupon Adjourned till Twelve of the Clock the ſame Day.

The Court accordingly met at Twelve of the Clock.

Three

There Proclamations made.

Commiſſioners preſent.

Painted Chamber, 20 Jan 1648.

John Bradſhaw, *Serjeant at Law*, Lord Preſident *of this Court.*

Tho. *L.* Gray *of* Groby.
Henry Martin.
Oliver Cromwell.
Henry Ireton.
Auguſtine Garland.
Thomas Challoner.
Nicholas Love.
William Cawley.
John Venn.
William Purefoy.
John Berkſtead.
James Chaloner.
Peter Temple.
Thomas Harriſon.
Rob. Tichbourne.
John Hutchinſon.
Sir Gregory Norton.
Sir Thomas Maleverer, *Bar.*
Daniel Blagrave.
Owen Roe.
Thomas Wogan.
William Say.
Francis Laſſells.
John Jones.
Sir John Bourchier.
John Carew.
John Downs.
John Fry.
Sir Michael Liveſey.
Sir John Danvers.
Mr. Millington.
Sir Hardreſs Waller.
John Blackiſtone.
John Huſon.
Humphrey Edwards.
Iſaac Pennington *Ald. of* London.
John Brown,
Edward Whalley.
John Okey.
Thomas Pride.
Adrian Scroope.
Valentine Wauton.
Thomas Hammond.
James Temple.
Peregrine Pelham.
Thomas Leiſter.
Edmond Ludlow
Simon Meyne.
Thomas Scot.
Edmond Harvy.
William *Lord* Mounſon.
Henry Smith.
Sir William Conſtable.
Iſaac Ewers.
Sir Henry Mildmay.
Anthony Stapeley.

Here the Court ſate in private.

Ordered, That the Form and Method of the Courts Proceeding unto, and in the reading of the Commiſſion by which they ſit, ſending for, and bringing in the Priſoner to the Bar, acquainting him in brief with the cauſe of his bringing thither, receiving and reading the Charge, and demanding what the Priſoner ſays thereto, be referred to the Diſcretion of the Lord Preſident; as alſo, That in caſe the Priſoner ſhall in Language or Carriage towards the Court, be inſolent, outragious, or contemptuous, that it be left to the Lord Preſident to reprehend him thereof, and admoniſh him of his Duty, or to command the taking away of the Priſoner, and if he ſee cauſe,

to

to withdraw or adjourn the Court. But as to the Priſoner's putting off his Hat, the Court will not inſiſt upon it for this Day; and that if the King deſire Time to Anſwer, the Lord Preſident is to give him Time.

Ordered, Upon the Lord Preſident's Deſire and Motion, That Mr. *Liſle* and Mr. *Say*, Commiſſioners of this Court, be Aſſiſtants to the Lord Preſident; and for that purpoſe, it is Ordered, that they ſit near the Lord Preſident in Court.

Mr. *Sollicitor* preſented the Charge againſt the King ingroſſed in Parchment, which was read, and being by Mr. *Sollicitor* ſigned, was returned to him to be exhibited againſt the King, in his preſence in open Court. And thereupon the Court adjourned it ſelf forthwith to the Great Hall in *Weſtminſter*.

The Manner of the Tryal of Charles Stuart *King of* England.

ON *Saturday*, being the 20th Day of *January*, 1648, the Lord Preſident of the *High-Court of Juſtice*, his two Aſſiſtants, and and the reſt of the Commiſſioners of the ſaid Court, according to the Adjournment of the ſaid Court from the *Painted-Chamber*, came to the Bench, or Place prepared for their ſitting, at the Weſt-End of the Great Hall at *Weſtminſter*; divers Officers of the ſaid Court, one and twenty Gentlemen with Partizans, and a Sword and Mace marching before them up into the Court, where the Lord Preſident, in a crimſon Velvet Chair fixed in the midſt of the Court, placed himſelf, having a Desk with a crimſon Velvet Cuſhion before him: the reſt of the Members placing themſelves on each ſide of him, upon ſeveral Seats or Benches prepared, and hung with Scarlet for that purpoſe. The *Lord Preſident*'s two Aſſiſtants ſitting next of each ſide of him, and the two Clerks of the Court placed at a Table ſomewhat lower, and covered with a *Turky* Carpet; upon which Table was alſo laid the Sword and Mace, the ſaid Guard of Partizans dividing themſelves on each ſide of the Court before them.

Three Proclamations are made for all Perſons that were Adjourned over thither, to draw near.

The Court being thus ſate, and Silence enjoined, the Great Gate of the Hall was ſet open, to the intent that all Perſons (without Exception) deſirous to ſee or hear, might come unto it: upon which the Hall was preſently filled, and Silence again ordered and proclaimed.

After Silence proclaimed as aforeſaid, the Act of the Commons of *England* Aſſembled in Parliament, for erecting of a High-Court of Juſtice for Trying and Judging of *Charles Stuart* King of *England*, was openly read by one of the Clerks of the Court.

The Act being read, the Court was called, every Commiſſioner preſent, thereupon riſing to his Name.

Com-

Comiſſioners preſent.

Weſtminſter-Hall, Jan. 20, 1648.

John Bradſhaw, *Serjeant at Law*,	Lord Preſident.
Oliver Cromwell,	Richard Deane.
Henry Ireton.	John Okey.
Sir Hardreſs Waller.	John Huſon.
Valentine Wauton.	William Goff.
Thomas Harriſon.	Cornelius Holland.
Edw. Whalley.	John Carew.
Thomas Pride.	John Jones.
Iſaac Ewer.	Thomas Liſter.
Thomas *Lord* Grey *of* Groby.	Peregr. Pelham.
William *Lord* Mounſon.	Francis Allen.
Sir John Danvers.	Thomas Challoner.
Sir Thomas Maleverer, *Bar.*	John Moore.
Sir John Bourchier, *Kt.*	William Say.
Iſaac Pennington *Ald. of* Lon.	John Aldred.
Henry Martin.	Francis Laſſells.
William Purefoy.	Henry Smith.
John Berkſtead.	James Challoner.
John Blackiſtone.	Humphrey Edwards.
Gilbert Millington.	Gregory Clement.
Sir William Conſtable, *Bar.*	John Fry.
Edmond Ludlow.	*Sir* Gregory Norton, *Bar.*
John Hutchinſon.	Edmond Harvey.
Sir Michael Liveſey, *Bar.*	John Venn.
Robert Tichbourne	Thomas Scot.
Owen Roe.	William Cawley.
Robert Lilbourne.	Anthony Stapeley.
Adrian Scroope.	John Downs.
Thomas Horton.	John Dixwell.
Thomas Hammond.	Simon Meyne.
John Liſle.	James Temple.
Nicholas Love.	Peter Temple.
Vincent Potter.	Daniel Blagrave.
Aug. Garland.	John Brown.

This done, the Court command the Serjeant at Arms to ſend for the Priſoner; and thereupon Colonel *Thomlinſon*, who had the Charge of the Priſoner, within a Quarter of an Hour's ſpace brought him, attended by Col. *Hacker*, and two and thirty Officers with Partizans, guarding him to the Court, his own Servants immediately attending him.

Being

Being thus brought up in the Face of the Court, the Serjeant at Arms with his Mace receives him, and conducts him ſtraight to the Bar, having a crimſon Velvet Chair ſet before him. After a ſtern looking upon the Court and the People in the Galleries on each ſide of him, he places himſelf in the Chair, not at all moving his Hat, or otherwiſe ſhewing the leaſt reſpect to the Court; but preſently riſeth up again, and turns about, looking downwards upon the Guards placed on the left ſide, and on the Multitude of Spectators on the right ſide of the ſaid great Hall, the Guard that attended him, in the mean time dividing themſelves on each ſide the Court, and his own Servants following him to the Bar, ſtand on the left Hand of the Priſoner.

The Priſoner having again placed himſelf in his Chair, with his Face towards the Court, and Silence being again ordered and proclaimed, the Lord *Preſident* in the Name of the Court, addreſſed himſelf to the Priſoner, acquainting him, That the Commons of *England* Aſſembled in Parliament, being deeply ſenſible of the Evils and Calamities that had been brought upon this Nation, and of the innocent Blood that had been ſpilt in it, which was fixed upon him as the principal Author of it, had reſolved to make Inquiſition for this Blood, and according to the Debt they did owe to God, to Juſtice, the Kingdom, and themſelves, and according to that fundamental Power that reſted, and Truſt repoſed in them by the People, other Means failing through his Default, had reſolved to bring him to Trial and Judgment, and had therefore conſtituted that Court of Juſtice, before which he was then brought, where he was to hear his Charge, upon which the Court would proceed according to Juſtice.

Hereupon, Mr. *Cooke*, Sollicitor for the Common-wealth, ſtanding within a Bar, with the reſt of the Councel for the Common-wealth on the right Hand of the Priſoner, offered to ſpeak; but the Priſoner, having a Staff in his Hand, held it up, and ſoftly laid it upon the ſaid Mr. *Cooke*'s Shoulder two or three Times, bidding him hold; nevertheleſs, the *Lord Preſident* ordering him to go on, Mr. *Cooke* did according to the Order of the Court, to him directed, in the Name, and on the Behalf of the People of *England*, exhibit a Charge of High-Treaſon, and other High Crimes, and did therewith accuſe the ſaid *Charles Stuart* King of *England*; praying in the Name, and on the Behalf aforeſaid, that the Charge might be accordingly received and read, and due Proceedings had thereupon; and accordingly preferred a Charge in writing, which being received by the Court, and delivered to the Clerk of the Court, the *Lord Preſident* in the Name of the Court ordered it ſhould be read.

But the King interrupting the reading of it, the Court notwithſtanding commanded the Clerk to read it, acquainting the Priſoner that if he had any Thing to ſay after, the Court would hear him; whereupon the Clerk read the Charge, the Tenor thereof is as followeth, *viz.*

A Charge of High-Treaſon, and other High-Crimes exhibited to the *High-Court of Juſtice*, by *John Cooke*, Eſq; Sollicitor General, appointed by the ſaid Court, for, and on the behalf of the People of *England*, againſt *Charles Stuart* King of *England*.

THat *He the ſaid* Charles Stuart, *being admitted King of* England, *and therein truſted with a limited Power to govern by, and according to the Laws of the Land, and not otherwiſe; and by his Truſt, Oath and Office, being obliged to uſe the Power committed to him, for the Good and Benefit of the People, and for the Preſervation of their Rights and Liberties; yet nevertheleſs, out of a wicked Deſign to erect and uphold in himſelf an unlimited and tyrannical Power to rule according to his Will, and to overthrow the Rights and Liberties of the People, yea to take away and make void the Foundations thereof, and of all redreſs and remedy of miſgovernment, which by the Fundamental Conſtitutions of this Kingdom, were reſerved on the People's behalf, in the Right and Power of frequent and ſucceſſive Parliaments or National Meetings in Councel, He the ſaid* Charles Stuart, *for Accompliſhment of ſuch his Deſigns, and for the Protecting of himſelf and his Adherents, in his and their wicked Practices, to the ſame Ends, hath traiterouſly and maliciouſly levied War againſt the preſent Parliament, and the People therein repreſented; particularly, upon or about the Thirtieth Day of* June, *in the Year of our Lord* 1642, *at* Beverley *in the County of* York; *and upon or about the Thirtieth Day of* July *in the Year aforeſaid, in the County of the City of* York; *and upon or about the Four and Twentieth Day of* Auguſt *in the ſame Year, at the County of the Town of* Nottingham, *where, and when he ſet up his Standard of War; and alſo on or about the Twenty Third Day of* October, *in the ſame Year, at* Edge-Hill *and* Keynton *Field, in the County of* Warwick; *and upon or about the Thirtieth Day of* November *in the ſame Year, at* Brainford *in the County of* Middleſex; *and upon or about the Thirtieth Day of* Auguſt, *in the Year of our Lord* 1643, *at* Caverſham-Bridge *near* Reading *in the County of* Berks; *and upon or about the Thirtieth Day of* October *in the Year laſt mentioned, at or near the City of* Glouceſter; *and upon or about the Thirtieth Day of* November *in the Year laſt mentioned, at* Newbury *in the County of* Berks; *and upon or about the Thirty Firſt Day of* July *in the Year of our Lord,* 1644, *at* Cropedy-Bridge *in the County of* Oxon; *and upon or about the Thirtieth Day of* September *in the laſt Year mentioned, at* Bodwyn *and other Places near adjacent, in the County of* Cornwall; *and upon or about the Thirtieth Day of* November *in the Year laſt mentioned, at* Newbury *aforeſaid; and upon or about the Eighth Day of* June, *in the Year of our Lord* 1645, *at the Town of* Leiceſter; *and alſo upon the Fourteenth Day of the ſame Month in the ſame Year, at* Nazeby-Field *in the County of* Northampton. *At which ſeveral Times and Places, or moſt of them, and at many other Places in this*

this Land, at ſeveral other Times within the Years afore-mentioned; and in the Year of our Lord 1646, *He the ſaid* Charles Stuart *hath cauſed and procured many Thouſands of the free People of this Nation to be ſlain, and by Diviſions, Parties, and Inſurrections within this Land, by Invaſions from Foreign Parts, endeavoured and procured by him, and by many other evil Ways and Means, He the ſaid* Charles Stuart, *hath not only maintained and carried on the ſaid War both by Land and Sea, during the Year before mentioned, but alſo hath renewed or cauſed to be renewed the ſaid War againſt the Parliament and good People of this Nation, in this preſent Year* 1648, *in the Counties of* Kent, Eſſex, Surrey, Suſſex, Middleſex, *and many other Counties and Places in* England *and* Wales; *and alſo by Sea. And particularly He the ſaid* Charles Stuart *hath for that Purpoſe given Commiſſion to his Son the Prince, and others, whereby, beſides Multitudes of other Perſons, many ſuch as were by the Parliament intruſted and employed for the ſafety of the Nation (being by him or his Agents corrupted to the betraying of their Truſt, and revolting from the Parliament) have had Entertainment and Commiſſion for the continuing and renewing of War and Hoſtility againſt the ſaid Parliament and People, as aforeſaid; by which cruel and unnatural Wars by him the ſaid* Charles Stuart *levied, continued and renewed as aforeſaid, much innocent Blood of the free People of this Nation hath been ſpilt, many Families have been undone, the publick Treaſury waſted and exhauſted, Trade obſtructed, and miſerably decayed, vaſt Expence and Damage to the Nation incurred, and many parts of this Land ſpoiled, ſome of them even to Deſolation. And for further Proſecution of his ſaid evil Deſigns, He the ſaid* Charles Stuart *doth ſtill continue his Commiſſions to the ſaid Prince, and other Rebels and Revolters both* Engliſh *and Foreigners, and to the Earl of* Ormond, *and to the* Iriſh *Rebels and Revolters aſſociated with him; from whom further Invaſions upon this Land are threatened, upon the Procurement and on the behalf of the ſaid* Charles Stuart.

All which wicked Deſigns, Wars and evil Practices of him the ſaid Charles Stuart, *have been, and are carried on for the Advancement and Upholding of a Perſonal Intereſt of Will and Power, and pretended Prerogative to himſelf and his Family, againſt the Publick Intereſt, Common Right, Liberty, Juſtice and Peace of the People of this Nation, by and for whom he was intruſted as aforeſaid.*

By all which it appeareth, that he the ſaid Charles Stuart *hath been, and is the Occaſioner, Author and Continuer of the ſaid unnatural, cruel and bloody Wars, and therein guilty of all the Treaſons, Murders, Rapines, Burnings, Spoils, Deſolations, Damages and Miſchiefs to this Nation, acted and committed in the ſaid Wars, or occaſioned thereby.*

And the ſaid *John Cooke* by Proteſtation ſaving on the behalf of the ſaid People of *England*, the Liberty of exhibiting at any Time hereafter any other Charge againſt the ſaid *Charles Stuart*, and alſo of replying to the Anſwers which the ſaid *Charles Stuart* ſhall make to the Premiſes, or any of them, or any other Charge that ſhall

be ſo exhibited, doth for the ſaid Treaſons and Crimes, on the behalf of the ſaid People of *England*, impeach the ſaid *Charles Stuart*, as a Tyrant, Traytor, Murderer, and a publick and implacable Enemy to the Common-wealth of *England*, and pray that the ſaid *Charles Stuart* King of *England*, may be put to anſwer all and every the Premiſes, and that ſuch Proceedings, Examinations, Trials, Sentences and Judgments may be thereupon had, as ſhall be agreeable to Juſtice.

Subſcribed, *John Cooke.*

The Priſoner, while the Charge was reading, ſate down in his Chair, looking ſometimes on the High-Court, and ſometimes on the Galleries, and roſe again and turned about to behold the Guards and Spectators and after ſate down looking very ſternly, and with a Countenance not at all moved, till theſe Words, *viz.* Charles Stuart *to be a Tyrant, Traytor*, &c. were read; at which he laughed as he ſate in the face of the Court.

The Charge being read, the Lord Preſident, in the Name of the Court, demanded the Priſoner's Anſwer thereto.

But the Priſoner declining that, fell into a Diſcourſe of the late Treaty in the Iſle of *Wight*, and demanded, *By what lawful Authority he was brought from the Iſle thither?* upbraiding the Court with the many unlawful Authorities in the World, inſtancing in Robbers, and Takers of Purſes, pleading his Kingſhip, and thereby a Truſt committed to him by God, by deſcent, which he ſhould betray, together with the Liberties of the People, in caſe he ſhould anſwer to an unlawful Power, which he charged the Court to be, and that they were raiſed by an uſurped Power; and affirmed, That he ſtood more for the Liberties of the People, than any of the Judges there ſitting, and again demanded, by what Authority he was brought thither?

To which it was replied by the Court, That had he been pleaſed to have obſerved what was declared to him by the Court at his firſt coming, and the Charge which he had heard read unto him, he might have informed himſelf by what Authority he was brought before them; namely, by the Authority of the Commons of *England* Aſſembled in Parliament, on the Behalf of the People of *England*: and did therefore again ſeveral times adviſe him to conſider of a better Anſwer; which he refuſed to do, but perſiſted in his Contumacy. Whereupon, the Court at length told him, That they did expect from him a poſitive Anſwer to the Charge; affirming their Authority, and giving him to underſtand, that they were upon God's and the Kingdom's Errand, and that the Peace ſtood for, would be better had and kept when Juſtice was done, and that was their preſent Work; and adviſed him ſeriouſly to conſider what he had to do at his next Appearance; which was declared ſhould be upon *Monday* following, and ſo remanded him to his former Cuſtody.

The

The Priſoner all the Time having kept on his Hat, departed, without ſhewing any the leaſt reſpect to the Court; but going out of the Bar, ſaid, he did not fear that Bill; pointing to the Table where the Sword and Charge lay.

The Priſoner being withdrawn, three Proclamations were made, and the Court adjourned it ſelf to the Painted Chamber on *Monday* Morning then next, at Nine of the Clock; declaring, that from thence they intended to Adjourn to the ſame Place again.

But that the Reader may have the entire Relation of this deplorable Tragedy, I have from the moſt Authentick Prints inſerted at large the interlocutory Paſſages between the King and *Bradſhaw*, of which Mr. *Phelpes* in his *Journal*, gives only a ſuccinct Account; which take as follows:

His Majeſty with his wonted Patience, heard all theſe Slanders and Reproaches, ſitting in the Chair, and looking ſometimes on the pretended Court, ſometimes up to the Galleries, and riſing again, turned about to behold the Guards and Spectators; then he ſat down with a Majeſtick and unmoved Countenance, and ſometimes ſmiling, eſpecially at theſe Words [*Tyrant*, *Traytor*,] and the like.

Alſo the Silver Head of his Staff happened to fall off, at which he wondered; and ſeeing none to take it up, he ſtooped for it himſelf.

The Charge being read, Bradſhaw *began.*

Sir, You have now heard your Charge read, containing ſuch Matters as appear in it: You find that in the cloſe of it, it is prayed to the Court, in the behalf of the *Commons* of *England*, that you Anſwer to your Charge: The Court expects your Anſwer.

King. I would know by what Power I am called hither. I was not long ago in the Iſle of *Wight*, how I came there, is a longer Story than I think is fit at this Time for me to ſpeak of; but there I entered into a Treaty with both Houſes of Parliament, with as much Publick Faith as its poſſible to be had of any People in the World, I treated there with a Number of Honourable Lords and Gentlemen, and treated honeſtly and uprightly; I cannot ſay but they did very Nobly with me; We were upon a Concluſion of the Treaty. Now I would know by what Authority (I mean lawful; there are many unlawful Authorities in the World; Thieves and Robbers by the High-ways: but I would know by what Authority) I was brought from thence, and carried from place to place, and I know not what. And when I know by what lawful Authority, I ſhall Anſwer.

Remember, I am your King, your Lawful King, and what Sins you bring upon your Heads, and the Judgment of God upon this Land. Think well upon it, I ſay, think well upon it, before you go further from one Sin to a greater. Therefore let me know by what lawful Authority I am ſeated here,

here, and I ſhall not be unwilling to Anſwer. In the mean time, I ſhall not betray my Truſt; I have a Truſt committed to me by God, by old and lawful Deſcent, I will not betray it, to anſwer to a new unlawful Authority: Therefore reſolve me that, and you ſhall hear more of me.

Bradſhaw. If you had been pleaſed to have obſerved what was hinted to you by the Court at your firſt coming hither, you would have known by what Authority; which Authority requires you in the Name of the People of *England*, of which you are elected King, to Anſwer.

King. No, Sir, I deny that.

Bradſhaw. If you acknowledge not the Authority of the Court, they muſt proceed.

King. I do tell them ſo: *England* was never an Elective Kingdom, but an Hereditary Kingdom for near theſe Thouſand Years: Therefore, let me know by what Authority I am called hither. I do ſtand more for the Liberty of my People, than any here that come to be my pretended Judges; and therefore let me know by what lawful Authority I am ſeated here, and I will anſwer it, otherwiſe I will not anſwer it.

Bradſhaw. Sir, How really you have managed your Truſt, is known; your way of Anſwer is to interrogate the Court, which beſeems not you in this Condition. You have been told of it twice or thrice.

King. Here is a Gentleman, Lieutenant Col. *Cobbet*, ask him, if he did not bring me from the Iſle of *Wight* by Force. I do not come here as ſubmitting to the Court.

I will ſtand as much for the Privilege of the Houſe of *Commons*, rightly underſtood, as any Man here whatſoever: I ſee no Houſe of Lords here, that may conſtitute a *Parliament*; and the King too ſhould have been.

Is this the bringing of the King to his Parliament? Is this the bringing an end to the Treaty in the Publick Faith of the World?

Let me ſee a legal Authority warranted by the Word of God, the Scriptures, or warranted by the Conſtitutions of the Kingdom, and I will Anſwer.

Bradſhaw, Sir You have propounded a Queſtion, and have been anſwered. Seeing you will not Anſwer, the Court will conſider how to proceed. In the mean Time, thoſe that brought you hither, are to take Charge of you back again.

The Court deſires to know, whether this be all the Anſwer you will give, or no.

King. Sir, I deſire that you would give me and all the World Satisfaction in this. Let me tell you, it is not a ſlight Thing you are about. I am ſworn to keep the Peace, by that Duty I owe to God and my Country; and I will do it to the laſt Breath of my Body. And therefore you ſhall do well to ſatisfie, firſt, God, and then the Country, by what Authority you do it. If you do it by an uſurped Authority, you cannot Anſwer it: There is a

God

God in Heaven that will call you, and all that give you Power to Account. Satisfie me in that, and I will Answer; otherwise I betray my Trust, and the Liberties of the People: And therefore think of that, and then I shall be willing: For I do avow, That it is as great a Sin to withstand Lawful Authority, as it is to submit to a Tyrannical, or any other ways unlawful Authority. And therefore satisfie God and Me, and all the World in that, and you shall receive my Answer. I am not afraid of the Bill.

Bradshaw. The Court expects you should give them a final Answer. Their Purpose is to Adjourn till *Monday* next: If you do not satisfie your self, though we do tell you our Authority, we are satisfied with our Authority; and it is upon God's Authority and the Kingdom's; and that Peace you speak of, will be kept in the doing of Justice, and that's our present Work.

King For Answer, Let me tell you, you have shewn no lawful Authority to satisfie any reasonable Man.

Bradshaw. That's in your Apprehension; we are satisfied that are your Judges.

King. 'Tis not my Apprehension, nor yours neither that ought to decide it.

Bradshaw. The Court hath heard you, and you are to be disposed of as they have commanded.

So commanding the Guard to take him him away, His Majesty only replied, *Well, Sir.*

And at his going down, pointing with his Staff toward the * Axe, he said, *I do no fear that.*

As he went down the Stairs, the People in the Hall cried out, *God save the King*; notwithstanding some were set there by the Faction to lead the Clamour for Justice.

---

* *This must be a Mistake, for there was no Axe there; but it is Bill in* Phelpe's *Journal, which Bill was the Charge, which the King meant, when now, as also before, he said,* He did not fear that Bill.

Painted Chamber, 22 Jan. 1648.

Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.

William Say.
John Downs.
Edward Whalley.
Francis Allen.
Sir *Thomas Maleverer*, Bar.
Valentine Wauton.
Peter Temple.
John Fry.
Thomas Scot.
Henry Smith.
Thomas Pride.
Auguſtine Garland.
John Venn.
Sir *John Bourchier.*
William Purefoy.
Sir *William Conſtable*, Bar.
Iſaac Pennington Ald. of *Lon.*
Thomas Harriſon.
Edmond Harvey.
John Hutchinſon.
Oliver Cromwell.
Thomas Lord *Grey* of *Groby.*
Sir *Greg. Norton*, Bar.
Robert Walop.
James Temple.
Owen Roe.
Richard Deane.
William Goffe.
Francis Laſſels.
Edmond Ludlow.
William Cawley.
Gilbert Millington.
Sir *Hardreſs Waller.*
Anthony Stapeley.
John Jones.
Nicholas Love.
John Carew.
Tho. Andrews, Ald. of *Lon.*
Iſaac Ewer.
John Huſon.
Cornelius Holland.
Humphrey Edwards.
Vincent Potter.
John Okey.
John Blackiſtone.
Thomas Hammond.
Daniel Blagrave.
William Heveningham.
Sir *Michael Liveſey.*
John Berkſtead.
Peregrine Pelham.
Adrian Scroope.
John Dixwell.
John Moore.
Robert Tichbourne.
James Challoner.
Gregory Clement.
William L. *Mounſon.*
Henry Martin.
Thomas Challoner.

61 Commiſſioners preſent.

Here the Court ſit private.

Ordered, That the Committee for nominating the Officers of this Court, together with the Committee for nominating the Guards, do conſider of an Allowance for Diet of the Officers, and what other Satisfaction they ſhall have for their Service.

Col. *Harvey* informeth the Court, That he was deſired to ſignifie unto this Court, in the Behalf of Mr. *John Corbet*, Member of this Court, that his Abſence is not from any diſaffection to the Proceedings of this Court, but in regard of other eſpecial Employment that he hath in the Service of the State.

Here

Here the Court conſidered of the King's Carriage on the *Saturday* before, and of all that had then paſſed on the Court's Behalf, and approved thereof, as agreeing to their Senſe and Directions; and perceiving what the King aimed at, (*viz.*) to bring in Queſtion (if he could) the Juriſdiction of the Court, and the Authority whereby they ſate; and conſidering that he had not in the interim acknowledged them in any ſort to be a Court, or in any Judicial Capacity to determine of his Demand and Plea, and that through their ſide he intended to wound (if he might be permitted) the Supream Authority of the *Commons* of *England*, in their Repreſentative; *The Commons aſſembled in Parliament*, after Advice with their Councel Learned in both Laws, and mature Deliberation had of the Matter.

Reſolved, That the Priſoner ſhould not be ſuffered to bring theſe Things in Queſtion which he aimed at, touching that higheſt Juriſdiction, whereof they might not make themſelves Judges, and from which there was no Appeal. And therefore Order and Direct, *viz.*

Ordered, That in Caſe the King ſhall again offer to fall into that Diſcourſe, the *Lord Preſident* do let him know, That the Court have taken into Conſideration his Demands of the laſt Day, and that he ought to reſt ſatisfied with this Anſwer, That the Commons of *England* Aſſembled in Parliament, have Conſtituted this Court; whoſe Power may not, nor ſhould not be permitted to be diſputed by him, and that they were reſolved he ſhould anſwer his Charge.

That, in caſe he ſhall refuſe to Anſwer, or acknowledge the Court, the *Lord Preſident* do let him know, that the Court will take it as a Contumacy, and that it ſhall be ſo Recorded.

That, in caſe he ſhall offer to Anſwer with a *Saving* Notwithſtanding of his pretended Prerogative, That the *Lord Preſident* do in the Name of the Court refuſe his Proteſt, and require his poſitive Anſwer to the Charge.

That, In caſe the King ſhall demand a Copy of the Charge, that he ſhall then declare his Intention to Anſwer; and that declaring ſuch his Intention, a Copy be granted unto him.

That, in caſe the King ſhall ſtill perſiſt in his Contempt, the *Lord Preſident* do give Command to the Clerk to demand of the King in the Name of the Court, in theſe Words following, *viz.*

Charles Stuart, King of *England*, your are accuſed in the behalf of the People of *England*, of diverſe High-Crimes and Treaſons; which Charge hath been read unto you; the Court requires you to give a Poſitive Anſwer, whether you confeſs or deny the Charge, having determined, that you ought to Anſwer the ſame.

Ordered, That the Commiſſioners ſhall be called in open Court, at the Court's ſitting in the Hall, and that the Names of ſuch as appear ſhall be Recorded.

Hereupon, the Court forthwith Adjourned it ſelf into *Weſtminſter-Hall.*

Weſtminſter-Hall, 22 Jan. 1648. *Poſt Meridiem.*

The Commiſſioners coming from the *Painted-Chamber*, take their Place in the Publick Court in *Weſtminſter-Hall*, as on *Saturday* before; and being ſate, and the Hall Doors ſet open,

Three Proclamations are made, for all Perſons that were Adjourned over to this Time, to give their Attendance, and for all Perſons to keep Silence, upon pain of Imprisonment.

The Court is thereupon called.

Commiſſioners preſent in *Weſtminſter-Hall*, 22 Jan. 1648.

John Bradſhaw, *Serjeant at Law*, Lord Preſident *of this Court.*
William Say.
John Liſle.
Oliver Cromwell.
Henry Ireton.
Sir Hardreſs Waller.
Valentine Wauton.
Tho. Harriſon.
Edward Whalley.
Thomas Pride.
Iſaac Ewer.
Tho. *Lord* Grey *of* Groby.
William *Lord* Mounſon.
Sir John Danvers.
Sir Thomas Maleverer, *Bar.*
Sir John Bourchier, *Kt.*
Edmond Ludlow.
John Huſon.
William Goffe.
Cornelius Holland.
John Carew.
Robert Lilbourne.
John Jones.
Francis Allen.
Peregrine Pelham.
Thomas Challoner.
John Moore.
John Aldred.
Francis Laſſells.
Henry Smith.
James Challoner.
Gregory Clement.
John Fry.
Thomas Wogan.
Peter Temple.
Robert Wallop.
William Heveningham
Iſaac Pennington *Ald. of* Lond.
Henry Martin.
William Purefoy.
John Berkſtead.
William Tomlinſon.
John Blackiſtone.
Gilbert Millington.
Sir William Conſtable, *Bar.*
Sir Michael Liveſey, *Bar.*
Robert Tichbourne.
Owen Roe.
Adrian Scroope.
John Dean.
John Okey.
John Hutchinſon.
Sir Gregory Norton, *Bar.*
Edmond Harvey.
John Venn.
Thomas Scot.
Tho. Andrews, *Ald. of* Lon.
William Cawley.
Anthony Stapely.
John Downes.
Thomas Horton.
Thomas Hammond.
Nicholas Love.
Vincent Potter.
Sir Gilbert Pickering, *Bar.*
Auguſtine Garland.
John Dixwell.
James Temple.
Daniel Blagrave.
Humphrey Edwards.

70 Commiſſioners preſent.

The

The Court being called, the Serjeant is commanded to fetch his Priſoner.

The King is again brought Priſoner to the Bar, as on *Saturday* before; Proclamation is made for Silence, whilſt Pleas of the Common-wealth were in Hand, and Order given to the Captain of the Guard to take into his Cuſtody ſuch as ſhould diſturb the Court.

Mr. *Sollicitor* moved the Court, that the Priſoner might give a Poſitive Anſwer to his Charge, or otherwiſe, that the Court would take the Matter of it *pro Confeſſo*, and proceed thereupon according to Juſtice; which being preſſed by the Court upon the Priſoner, and their Judgment again made known unto him, That he was to Anſwer his Charge, otherwiſe that his Contumacy would be recorded.

The Priſoner, that notwithſtanding, ſtill inſiſted upon his former Plea, and that the Court had no Power, nor the *Commons* of *England*, who had conſtituted it, to proceed againſt him; upon which, the Clerk of the Court, by Command, and according to former Order, required his Anſwer in the Form preſcribed: and the Priſoner ſtill refuſing to ſubmit thereto, his Default and Contempt were again Recorded, the Priſoner remanded, and the Court Adjourned it ſelf till the next Day, being *Tueſday* at Twelve of the Clock, to the *Painted Chamber*; withal, giving Notice, that from thence they intended to Adjourn to this Place again.

Sunday having been ſpent in Faſting and Seditious Preaching, according to the Mode of theſe Impious Hypocrites, who uſed to Preface Rebellion and Murder with the Appearance of Religion; the Illuſtrious Sufferer was (as is before in *Phelps*'s Journal related) placed before the infamous Tribunal; where their Mercenary Sollicitor *Cooke* opened the Tragick Scene thus, diſplaying his Talents of Impudence and Treaſon.

Cooke. May it pleaſe your Lordſhip, my *Lord Preſident*, I did at the laſt Court, in the behalf of the *Commons* of *England*, exhibit and give in to this Court a Charge of High-Treaſon, and other High Crimes againſt the Priſoner at the Bar; whereof I do accuſe him in the Name of the People of *England*; and the Charge was read unto him, and his Anſwer required. *My Lord*, He was not pleaſed to give an Anſwer; but inſtead of Anſwering, did there diſpute the Authority of this *High-Court*. My humble Motion to this *High-Court*, in the behalf of the Kingdom of *England*, is, That the Priſoner may be directed to make a poſitive Anſwer, either by way of Confeſſion or Negation; which, if he ſhall refuſe to do, that then the Matter of Charge may be taken *pro Confeſſo*, and the Court may proceed according to Juſtice.

Bradſhaw, Sir, You may remember, at the laſt Court you were told the occaſion of your being brought hither, and you heard a Charge read againſt you, containing a Charge of *High-Treaſon*, and other High-Crimes againſt this Realm of *England*; you have heard

likewiſe that it was prayed in the Behalf of the People, that you ſhould give an Anſwer to that Charge, that thereupon ſuch Proceedings might be had, as ſhould be agreeable to Juſtice: You were then pleaſed to make ſome Scruples concerning the Authority of this Court, and knew not by what Authority you were brought hither: You did divers Times propound your Queſtions, and were as often anſwered, That it was by Authority of the *Commons* of *England* Aſſembled in Parliament, that did think fit to call you to Account, for thoſe High and Capital Miſdemeanors wherewith you were then charged.

Since that, the Court hath taken into Conſideration what you then ſaid: they are fully ſatisfied with their own Authority, and they hold it fit you ſhould ſtand ſatisfied with it too; and they do require it, that you do give a poſitive and particular Anſwer to this Charge that is exhibited againſt you. They do expect you ſhould either confeſs or deny it: If you deny, it is offered in the behalf of the Kingdom, to be made good againſt you. Their Authority they do avow to the whole World, that the whole Kingdom are to reſt ſatisfied in, and you are to reſt ſatisfied with it; and therefore you are to loſe no more Time, but to give a poſitive Anſwer thereunto.

King. When I was here laſt, 'tis very true, I made that Queſtion; and if it were only my own particular Caſe, I would have ſatisfied my ſelf with the Proteſtation I made the laſt Time I was here, againſt the Legality of this Court, and that a King cannot be tryed by any Superior Juriſdiction on Earth: But it is not my caſe alone, it is the Freedom and the Liberty of the People of *England*; and do you pretend what you will, I ſtand more for their Liberties. For if Power without Law, may make Laws, may alter the Fundamental Laws of the Kingdom, I do not know what Subject he is in *England* that can be ſure of his Life, or any Thing that he calls his own: Therefore, when that I came here, I did expect particular Reaſons, to know by what Law, what Authority you did proceed againſt me here; and therefore I am a little to ſeek what to ſay to you in this Particular, becauſe the Affirmative is to be proved, the Negative often is very hard to do: But ſince I cannot perſwade you to do it, I ſhall tell you my Reaſons as ſhort as I can.

My Reaſons why in Conſcience, and the Duty I owe to God firſt, and my People next, for the Preſervation of their Lives, Liberties and Eſtates, I conceive I cannot Anſwer this, till I be ſatisfied of the Legality of it.

All Proceedings againſt any Man whatſoever ———

Bradſhaw. Sir, I muſt interrupt you; which I would not do, but that what you do, is not agreeable to the Proceedings of any Court of Juſtice. You are about to enter into Argument and Diſpute concerning the Authority of this Court, before whom you appear as a Priſoner, and are charged as an high Delinquent: If you take upon you to diſpute the Authority of the Court, we may not do it,

nor

nor will any Court give way unto it; you are to ſubmit unto it, you are to give a punctual and direct Anſwer, whether you will Anſwer your Charge or no, and what your Anſwer is.

King. Sir, By your Favour, I do not know the Forms of Law; I do know Law and Reaſon, though I am no Lawyer profeſſed: But I know as much Law as any Gentleman in *England*, and therefore, under favour, I do plead for the Liberties of the People of *England*, more than you do; and therefore, if I ſhould impoſe a Belief upon any Man without Reaſons given for it, it were unreaſonable: But I muſt tell you, that by that Reaſon that I have, as thus informed, I cannot yield unto it.

Bradſhaw. Sir, I muſt interrupt you; you may not be permitted: You ſpeak of Law and Reaſon; it is fit there ſhould be Law and Reaſon; and there is both againſt you.

Sir, The Vote of the *Commons* of *England* Aſſembled in Parliament, it is the Reaſon of the Kingdom; and they are theſe two that have given that Law, according to which you ſhould have ruled and reigned. *Sir*, You are not to diſpute our Authority, you are told it again by the Court; *Sir*, it will be taken Notice of, that you ſtand in Contempt of the Court, and your contempt will be recorded accordingly.

King. I do not know how a King can be a Delinquent; but by any Law that ever I heard of, all Men (Delinquents, or what you will) let me tell you, they may put in Demurrers againſt any Proceeding as Legal; and I do demand that, and demand to be heard with my Reaſons: if you deny that, you deny Reaſon.

Bradſhaw. Sir, You have offered ſomething to the Court; I ſhall ſpeak ſomething unto you the Senſe of the Court. Sir, neither you nor any Man are permitted to diſpute that Point; you are concluded, you may not demur to the Juriſdiction of the Court; if you do, I muſt let you know that they over-rule your Demurrer: They ſit here by the Authority of the *Commons* of *England*, and all your Predeceſſors and you are reſponable to them.

King. I deny that; ſhew me one Precedent.

Bradſhaw. Sir, You ought not to interrupt while the Court is ſpeaking to you. This Point is not to be debated by you, neither will the Court permit you to do it: If you offer it by way of Demurrer to the Juriſdiction of the Court, they have conſidered of their Juriſdiction, they do affirm their own Juriſdiction.

King. I ſay, Sir, By your Favour, that the *Commons* of *England*, was never a Court of Judicature; I would know how they came to be ſo.

Bradſhaw. Sir, you are not to be permitted to go on in that Speech, and theſe Diſcourſes.

Then

Then the Clerk of the Court read.

Charles Stuart, King of *England*, you have been accuſed on the Behalf of the People of *England*, of High-Treaſon, and other High-Crimes; the Court have determined that you ought to Anſwer the ſame.

King. I will Anſwer the ſame ſo ſoon as I know by what Authority you do this.

Bradſhaw. If this be all that you will ſay, then, *Gentlemen*, you that brought the Priſoner hither, take Charge of him back again.

King. I do require that I may give in my Reaſons why I do not Anſwer; and give me Time for that.

Bradſhaw. Sir, 'Tis not for Priſoners to require.

King. Priſoners, Sir! *I am not an ordinary Priſoner.*

Bradſhaw. The Court hath conſidered of their Juriſdiction, and they have already affirmed their Juriſdiction: If you will not Anſwer, we will give Order to Record your Default.

King. You never heard my Reaſons yet.

Bradſhaw. Sir, Your Reaſons are not to be heard againſt the higheſt Juriſdiction.

King. Shew me that Juriſdiction where Reaſon is not to be heard.

Bradſhaw. Sir, We ſhew it you here, *The Commons of* England: and the next Time you are brought, you will know more of the Pleaſure of the Court; and it may be, their final Determination.

King. Shew me where ever the *Houſe of Commons* was a Court of Judicature of that kind.

Bradſhaw. Serjeant, take away the Priſoner.

King. Well, *Sir*, Remember that the King is not ſuffered to give in his Reaſons for the Liberty and Freedom of all his Subjects.

Bradſhaw. Sir, You are not to have Liberty to uſe this Language. How great a Friend you have been to the Laws and Liberties of the People, let all *England* and the World judge.

King. Sir, Under Favour, it was the Liberty, Freedom, and Laws of the Subject that ever I took —— defended my ſelf with Arms: I never took up Arms againſt the People, but for the Laws.

Bradſhaw. The Command of the Court muſt be obeyed: No Anſwer will be given to the Charge.

King. Well, Sir.

Then *Bradſhaw* ordered the Default to be Recorded, and the Contempt of the Court, and that no Anſwer would be given to the Charge.

The King was Guarded forth to Sir Robert Cotton's *Houſe.*

The Court Adjourned to the *Painted-Chamber* on *Tueſday* at Twelve of the Clock, and from thence they intend to Adjourn to *Weſtminſter-Hall*, at which Time all Perſons concerned are to give their Attendance.

His

His Majeſty not being ſuffered to deliver his Reaſons againſt the Juriſdiction of their pretended Court, by Word of Mouth, thought fit to leave them in Writing to the more impartial Judgment of Poſterity, as followeth;

HAving already made my Proteſtations, not only againſt the Illegality of this pretended Court, but alſo, That no Earthly Power can juſtly call Me (*who am your King*) in Queſtion, as a Delinquent; *I would not any more open My Mouth upon this Occaſion, more than to refer my ſelf to what I have ſpoken, were I in this caſe alone concerned: But the Duty I owe to God in the Preſervation of the true Liberty of my People, will not ſuffer Me at this Time to be ſilent: For, how can any Free-born Subject of* England *call Life or any thing he poſſeſſeth, his own, if Power without Right, daily make New, and abrogate the Old Fundamental Law of the Land? Which I now take to be the preſent Caſe. Wherefore, when I came hither, I expected that you would have endeavoured to have ſatisfied Me concerning theſe Grounds which hinder Me to anſwer to your pretended Impeachment: But ſince I ſee that nothing I can ſay, will move you to it (though* Negatives *are not ſo naturally proved as* Affirmatives) *yet I will ſhew you the Reaſon why I am confident you cannot judge Me, nor indeed the meaneſt Man in* England: *For I will not (like you) without ſhewing a Reaſon, ſeek to impoſe a Belief upon my Subjects.*

There is no Proceeding juſt againſt any Man, but what is warranted either by God's Laws, or the Municipal Laws of the Country where he lives. Now I am moſt confident, This Days Proceeding cannot be warranted by God's Law; for, on the contrary, the Authority of Obedience unto King's, is clearly warranted, and ſtrictly commanded both in the Old and New Teſtament; which, if denied, I am ready inſtantly to prove.

Hereabout I was ſtopt, and not ſuffered to ſpeak any more concerning *Reaſons.*

And for the Queſtion now in Hand, there it is ſaid, That, Where the Word of a King is, there is Power; and who may ſay unto him, What doſt thou? *Eccl.* viii. 4. *Then for the Law of this Land, I am no leſs confident, That no learned Lawyer will affirm, That,* an Impeachment can lie againſt the King; they all going in his Name: *And one of their Maxims is, That,* the King can do no Wrong. *Beſides, The Law upon which you ground your Proceedings, muſt either be Old or New; if Old, ſhew it; if New, tell what Authority warranted by the Fundamental Laws of the Land hath made it, and when. But how the* Houſe of Commons *can erect a Court of Judicature, which was never one it ſelf, (as is well known to all Lawyers) I leave to God and the World to judge: And it were full as ſtrange, that they ſhould pretend to make Laws, without* King *or* Lords Houſe, *to any that have heard ſpeak of the Laws of* England.

And

And admitting, but not granting, That the People of England's *Commiſſion could grant your* Pretended Power, *I ſee nothing you can ſhew for that; for certainly you never asked the Queſtion of the* Tenth Man *in the Kingdom; and in this way you manifeſtly wrong even the* pooreſt Ploughman, *if you demand not his free Conſent; nor can you pretend any colour for this your* pretended Commiſſion, *without the Conſent at leaſt of the* Major Part *of every Man in* England, *of whatſoever Quality or Condition, which I am ſure you never went about to ſeek; ſo far are you from having it. Thus you ſee that I ſpeak not for my own Right alone, as I am* your King, *but alſo for the true Liberty of all* my Subjects; *which conſiſts not in the* Power of Government, *but in* Living under ſuch Laws, ſuch a Government, *as may give themſelves the beſt Aſſurance of their* Lives, *and* Property *of their* Goods. *Nor in this, muſt, or do I forget the* Privileges *of* Both Houſes *of* Parliament; *which this Days Proceedings do not only* violate, *but likewiſe* occaſion *the greateſt Breach of their* Publick Faith, *that (I believe) ever was heard of; with which I am far from Charging the* Two Houſes; *for all* Pretended Crimes *laid againſt Me, bear Date long before this Treaty at* Newport; *in which, I having concluded as much as in me lay, and hopefully expecting the* Houſes *Agreement thereunto, I was ſuddenly ſurprized, and hurried from thence as a Priſoner; upon which Account I am againſt my Will brought hither; where, ſince I am come, I cannot but to my Power defend the Ancient Laws and Liberties of this Kingdom, together with my own juſt Right. Then, for any Thing I can ſee, the Higher-Houſe is totally excluded. And for the Houſe of Commons, it is too well known that the Major part of them are detained, or deterred from Sitting; ſo as, if I had no other, this were ſufficient for Me to proteſt againſt the Lawfulneſs of your* Pretended Court. *Beſides all this, the Peace of the Kingdom is not the leaſt in my Thoughts; and what Hopes of Settlement is there, ſo long as Power reigns without Rule or Law, changing the whole Frame of that Government under which this Kingdom hath flouriſhed for many Hundred Years? (nor will I ſay what will fall out, in caſe this lawleſs, unjuſt Proceeding againſt Me, do go on.) And believe it, the* Commons of England *will not thank you for this Change; for they will remember how happy they have been of late Years under the Reign of Queen* Elizabeth, *the King my Father, and my Self, until the beginning of theſe unhappy Troubles, and will have cauſe to doubt, that they ſhall never be ſo happy under any New. And by this Time it will be too ſenſibly evident, that the Arms I took up, were only to defend the Fundamental Laws of this Kingdom, againſt thoſe who have ſuppoſed my Power, hath totally changed the Ancient Government.*

Thus having ſhewed you briefly the Reaſons why I cannot ſubmit to your *Pretended Authority*, without violating the Truſt which I have from God for the Welfare and Liberty of my People, I expect from you either clear Reaſons to convince my Judgment, ſhewing Me that I am in an Error, (and then truly I will Anſwer) or that you will withdraw your Proceedings.

This I intended to ſpeak in Weſtminſter-Hall *on* Monday, January 22. *but againſt Reaſon, was hindred to ſhew my Reaſons.* *Painted*

Painted Chamber.

Martis, 23 Jan. 1648.

Three Proclamations are made, and all Parties concerned required to give their Attendance.

Commiſſioners Preſent.

John Bradſhaw, *Serjeant at Law*, Lord Preſident *of this Court.*
John Liſle.
William Say.
Sir James Harrington, *Kt.*
Francis Allen.
Henry Martin.
Thomas Scot.
Sir Hardreſs Waller.
Edmond Whalley.
John Venn.
Richard Deane.
John Huſon.
Tho. *Ld.* Grey *of* Groby.
William Pureſoy.
Daniel Blagrave.
Iſaac Pennington *Ald.* of *Lon.*
Thomas Harriſon.
Adrian Scroope.
Robert Lilbourne.
Sir Gregory Norton.
Cornelius Holland.
William Cawley.
Auguſtine Garland.
Nicholas Love.
Thomas Hammand.
John Moore.
Edmond Harvey.
Thomas Pride.
Henry Smith.
Thomas Challoner.
Miles Corbet.
John Okey.

Sir William Conſtable, *Bar.*
Gilbert Millington.
Humphrey Edwards.
Anthony Stapeley.
Robert Pichbourne.
Sir John Danvers.
Simon Meyne.
Vincent Potter.
Oliver Cromwell.
Edmond Ludlow.
John Blackiſtone.
Sir Henry Mildmay.
John Hutchinſon.
Peter Temple.
Henry Ireton.
Sir Michael Liveſey, *Bar.*
John Jones.
James Temple.
Iſaac Ewers.
Sir John Borchier.
John Fry.
Sir Tho. Maleverer, *Bar.*
Gregory Clement.
John Carew.
Tho. Andrews *Ald.* of *Lon.*
John Dixwell.
Sir Gil. Pickering, *Bar.*
Wm. Heveningham.
Valentine Wauton.
John Downs.
Owen Roe.

63 Commiſſioners preſent.

Here the Court ſate private.

And taking into Conſideration the Proceeding of the laſt Court the laſt Day, fully approved of what in their Behalf had been then ſaid and done; and likewiſe taking into Conſideration the Demeanor of the King at the ſaid Court, have notwithſtanding reſolved to try him once more, whether he will own the Court, and to that purpoſe,

Ordered, That the *Lord Preſident* do acquaint the King, in caſe he ſhall continue Contumacious, that he is to expect no further Time; and that the *Lord Preſident* do therefore in the Name of the Court, require his poſitive and final Anſwer; and if he ſhall ſtill perſiſt in his Obſtinacy, that the *Lord Preſident* give command to the Clerk to read as followeth, *viz.*

Charles Stuart King of *England*, you are accuſed on the Behalf of the People of *England*, of divers High-Crimes and Treaſons; which Charge hath been read unto you: The Court now requires you to give your final and poſitive Anſwer by way of Confeſſion or Denial of the Charge.

Nevertheleſs, if the King ſhould ſubmit to Anſwer, and deſire a Copy of his Charge, that it be granted him by the *Lord Preſident*; notwithſtanding, giving him to know, That the Court might in Juſtice forthwith proceed to Judgment for his former Contumacy and Failer to Anſwer, and that he be required to give his Anſwer to the ſaid Charge the next Day at One of the Clock in the Afternoon. Whereupon,

The Court Adjourned to *Weſtminſter-Hall* forthwith.

Weſtminſter-

Weſtminſter-Hall, 23 Jan. 1648. *Poſt Merd.*

Three Proclamations being made, and Attendance and Silence commanded as formerly.

The Court is thereupon called.

Commiſſioners preſent.

John Bradſhaw, *Serjeant at Law*, Lord Preſident *of this Court.*
Oliver Cromwell.
Henry Ireton.
Sir Hardreſs Waller.
Valentine Wauton.
Tho. Harriſon.
Edward Whalley.
Thomas Pride.
Iſaac Ewer.
Henry Martin.
William Purefoy.
John Berkſtead.
John Blackiſtone.
Gilbert Millington.
Sir William Conſtable, *Bar.*
Edmond Ludlow.
John Hutchinſon.
Sir Michael Liveſey, *Bar.*
Robert Tichbourne.
Owen Roe.
Robert Lilbourne.
Adrian Scroope.
Richard Deane.
John Okey.
John Huſon.
William Goffe.
Cornelius Holland.
John Carew.
John Jones.
Miles Corbet.
Francis Allen.
Peregrine Pelham.
Tho. Challoner.
John Moore.
William Say.
John Dixwell.
Sir Henry Mildmay, *Kt.*
Tho. *Lord* Grey *of* Groby.
William *L.* Mounſon.
Sir John Danvers.
Sir Thomas Maleverer, *Bar.*
Sir John Bourchier, *Kt.*
Sir James Harrington, *Kt.*
Robert Wallop.
William Heveningham.
Iſaac Pennington, *Ald.* of *Lond.*
John Aldred.
Henry Smith,
James Temple.
Peter Temple.
Daniel Blagrave.
Humphrey Edwards.
Gregory Clement.
John Fry.
Thomas Wogan.
Sir Gregory Norton.
Edmond Harvey.
John Venn.
Thomas Scot.
Tho. Andrews, *Ald.* of *Lon.*
William Cawley.
Anthony Stapeley.
John Downes.
Thomas Horton.
Thomas Hammond.
John Liſle.
Nicholas Love.
Vincent Potter.
Sir Gil. Pickering, *Bar.*
Auguſtine Garland.
Simon Meyne.

71 Commiſſioners preſent.

The Court being called, the Serjeant is required to ſend for the Priſoner, who was accordingly brought to the Bar, where he took his Seat as formerly. Proclamation is thereupon made for Silence, while the Pleas of the Common-wealth are in hand, and the Captain of the Guard commanded by Proclamation, to take into Cuſtody all that ſhall diſturb the Proceedings of the Court.

Mr. Sollicitor *Cooke* addreſſing himſelf to the Court, repeated the former Delays and Contempts of the Priſoner, ſo as that no more needed on his Part, but to demand Judgment; yet offered notwithſtanding the Notoriety of the Facts charged, mentioned in the Commons Act, appointing the Trial, to prove the Truth of the ſame by Witneſſes, if thereto required; and therefore prayed, and yet (he ſaid) not ſo much he, as the innocent Blood that had been ſhed, the cry whereof was very great, that a ſpeedy Sentence and Judgment might be pronounced againſt the Priſoner at the Bar according to Juſtice.

Hereupon the Court putting the Priſoner in mind of former Proceedings, and that although by the Rules of Juſtice, if Advantage were taken of his paſt Contempts, nothing would remain but to pronounce Judgment againſt him, they had nevertheleſs determined to give him leave to Anſwer his Charge; which, as was told him in plain Terms (for Juſtice knew no reſpect of Perſons) to plead *Guilty* or *Not Guilty* thereto.

To which he made Anſwer as formerly, That he would not acknowledge the Juriſdiction of the Court, and that it was againſt the Fundamental Laws of the Kingdom; that there was no Law to make a King a Priſoner; that he had done nothing againſt his Truſt; and iſſued out into ſuch like Diſcourſes.

Upon which, the Courts Reſolution was again remembered to him, and he told, That he had now the third Time publickly diſowned and affronted the Court; That, how good a Preſerver he had been of the Fundamental Laws, and Freedoms of the People, his Actions had ſpoken; that Mens Intentions were uſed to be ſhewed by their Actions, and that he had written his Meaning in bloody Characters throughout the Kingdom, and that he ſhould find at laſt, though at preſent he would not underſtand it, that he was before a Court of Juſtice.

Hereupon, in the manner appointed, the Clerk in the Name of the Court, demanding the Priſoner's Anſwer to his Charge, and the ſame refuſed, the Default was recorded, the Priſoner remanded, and the Court adjourned to the *Painted-Chamber*.

Painted-

Painted-Chamber.

The Court according to their former Adjournment from *Weſtminſter-Hall*, came together from thence into the *Painted-Chamber*, where they ſate privately; and Ordered as followeth,

Ordered, That no Commiſſioner ought, or ſhall depart from the Court, without the ſpecial leave of the ſaid Court.

This Court took into Conſideration the managing of the Buſineſs of the Court this Day, in the Hall, and the King's Refuſal to Anſwer, notwithſtanding he had been three ſeveral Times demanded and required thereunto, and have thereupon fully approved of what on the Court's part had then paſſed, and Reſolved,

That, Notwithſtanding the ſaid Contumacy of the King, and refuſal to plead, which in Law amounts to a ſtanding mute, and tacit Confeſſion of the Charge, and notwithſtanding the Notoriety of the Fact charged, the Court would nevertheleſs however examine Witneſſes, for the further and clearer Satisfaction of their own Judgments and Conſciences; the manner of whoſe Examination was referred to further Conſideration the next Sitting, and Warrants were accordingly iſſued forth for ſummoning of Witneſſes.

Mr. *Peters* moveth the Court as a Meſſenger from the King, *viz.* That the King deſires he might ſpeak with his Chaplains that came unto him privately; but the *Houſe* of *Commons* having taken that into their Conſideration, the Court conceived it not proper for them to intermeddle therein.

The Court Adjourned it ſelf till Nine of the Clock to Morrow Morning, to this Place.

What paſſed in the Hall more at large than is related by Phelpes *in this Day's Tranſactions, ſee in the following Diſcourſe.*

The King being brought in by the Guard, looks with a Majeſtick Countenance upon his pretended Judges, and ſits down,

After the ſecond *O Yes*, and Silence commanded, *Cooke* began more inſolently;

Cooke, May it pleaſe your Lordſhip, my Lord Preſident, This is now the third Time, that, by the great Grace and Favour of this High-Court, the Priſoner hath been brought to the Bar, before any Iſſue joined in the Cauſe. My Lord, I did at the firſt Court exhibit a Charge againſt him, containing the Higheſt-Treaſon that ever was brought upon the Theatre of *England*, That a King of

England

England, truſted to keep the Law, that had taken an Oath ſo to do, that had Tribute paid him for that End, ſhould be guilty of a wicked Deſign to ſubvert and deſtroy our Laws, and introduce an Arbitrary and Tyrannical Government, in the Defiance of the Parliament and their Authority, ſet up his Standard for War againſt the Parliament and People; and I did humbly pray, in the Behalf of the People of *England*, that he might ſpeedily be required to make an Anſwer to the Charge.

But, *My Lord*, inſtead of making any Anſwer, he did then diſpute the Authority of this High-Court. Your Lordſhip was pleaſed to give him a further Day to conſider, and to put in his Anſwer; which Day being Yeſterday, I did humbly move, that he might be required to give a direct and poſitive Anſwer, either by Denying or Confeſſion of it: But, my Lord, he was then pleaſed for to Demur to the Juriſdiction of the Court; which the Court did then over-rule, and command him to give a direct and poſitive Anſwer.

My Lord, Beſides this great Delay of Juſtice, I ſhall now humbly move your Lordſhip for ſpeedy Judgment againſt him. *My Lord*, I might preſs your Lordſhip upon the whole, That according to the known Rules of the Law of the Land, That, if a Priſoner ſhall ſtand as contumacious in contempt, and ſhall not put in an iſſuable Plea, *Guilty* or *Not Guilty* of the Charge given againſt him, whereby he may come to a fair Tryal, that as by an implicite Confeſſion, it may be taken *pro confeſſo*, as it hath been done to thoſe who have deſerved more favour than the Priſoner at the Bar has done: But beſides, *my Lord*, I ſhall humbly preſs your Lordſhip upon the whole Fact. The *Houſe* of *Commons*, the Supreme Authority and Juriſdiction of the Kingdom, they have declared, That it is notorious that the Matter of the Charge is true; as it is in Truth, my Lord, as clear as Cryſtal, and as the Sun that ſhines at Noon-day: which, if your Lordſhip and the Court be not ſatisfied in, I have notwithſtanding, on the People of *England*'s Behalf, ſeveral Witneſſes to produce. And therefore I do humbly pray (and yet I muſt confeſs, it is not ſo much I, as the innocent Blood that hath been ſhed, the Cry whereof is very great for Juſtice and Judgment; and therefore I do humbly pray) that ſpeedy Judgment be pronounced againſt the Priſoner at the Bar.

Bradſhaw *went on in the ſame Strain.*

Sir, You have heard what is moved by the Councel on the Behalf of the Kingdom againſt you. *Sir*, you may well remember, and if you do not, the Court cannot forget what dilatory Dealings the Court hath found at your Hands: You were pleaſed to propound ſome Queſtions; you have had your Reſolution upon them. You were told over and over again, That, The Court did affirm their own Juriſdiction; that it was not for you nor any other Man to diſpute the Juriſdiction of the Supreme and Higheſt Authority

Authority of *England*, from which there is no Appeal, and touching which there muſt be no Diſpute, yet you did perſiſt in ſuch Carriage, as you gave no Manner of Obedience, nor did you acknowledge any Authority in them, nor the High-Court that conſtituted this Court of Juſtice.

Sir, I muſt let you know from the Court, that they are very ſenſible of theſe Delays of yours, and that they ought not, being thus Authorized by the Supreme Court of *England*, to be thus trifled withal; and that they might in Juſtice, if they pleaſed, and according to the Rules of Juſtice, take Advantage of theſe Delays, and proceed to pronounce Judgment againſt you; yet nevertheleſs they are pleaſed to give Direction, and on their Behalfs I do require you, that you make a poſitive Anſwer unto this Charge that is againſt you. *Sir*, in plain Terms (for Juſtice knowns no reſpect of Perſons) you are to give your poſſitive and final Anſwer in plain *Engliſh*, whether you be Guilty or not Guilty of theſe Treaſons laid to your Charge.

The King, *after a little Pauſe, ſaid.*

When I was here Yeſterday, I did deſire to ſpeak for the Liberties of the People of *England*; I was interrupted: I deſire to know yet whether I may ſpeak freely or not.

Bradſhaw. Sir, you have had the Reſolution of the Court upon the like Queſtion the laſt Day; and you were told, That having ſuch a Charge of ſo high a Nature, againſt you, your Work was, that you ought to acknowledge the Juriſdiction of the Court, and to anſwer to your Charge, Sir, if you anſwer to your Charge, which the Court gives you leave now to do, though they might have taken the Advantage of your Contempt; yet, if you be able to Anſwer to your Charge, when you have once anſwered, you ſhall be heard at large, make the beſt Defence you can. But, *Sir*, I muſt let you know from the Court, as their Commands, that you are not to be permitted to iſſue out into any other Diſcourſes, till ſuch Time as you have given a poſitive Anſwer concerning the Matter that is charged upon you.

King. For the Charge, I value it not a ruſh. It is the Liberty of the People of *England* that I ſtand for. For me to acknowledge a New Court that I never heard of before, I that am your King, that ſhould be an Example to all the People of *England*, for to uphold Juſtice, to maintain the Old Laws, indeed I know not how to do it.

You ſpoke very well the firſt Day that I came here on *Saturday*, of the Obligations that I had laid upon me by God to the Maintenance of the Liberties of my People; the ſame Obligation you ſpeak of, I do acknowledge to God, that I owe to him and to my People, to defend as much as in me lies, the ancient Laws of the Kingdom; therefore until that I may know that this is not againſt

the

the Fundamental Laws of the Kingdom, by your Favour, I can put in no particular Anſwer. If you will give me Time, I will ſhew you my Reaſons why I cannot do it; and this——

Here being interrupted, he ſaid.

By your Favour, you ought not to interrupt me.

How I came here I know not; there's no Law for it, to make your King your Priſoner. I was in a Treaty upon the Publick Faith of the Kingdom; that was the known —— Two Houſes of Parliament, that was the Repreſentative of the Kingdom; and when that I had almoſt made an End of the Treaty, then I was hurried away, and brought hither; and therefore ——

Bradſhaw. Sir, You muſt know the Pleaſure of the Court.

King. By your Favour, Sir.

Bradſhaw. Nay, *Sir*, By your Favour, you may not be permitted to fall into thoſe Diſcourſes: You appear as a Delinquent; you have not acknowledged the Authority of the Court. The Court craves it not of you; but once more they command you to give your poſitive Anſwer.

Clerk. Do your Duty.

King. Duty, Sir!

The Clerk reads.

Charles Stuart, King of *England*, you are accuſed, in the behalf of the *Commons* of *England*, of Divers High-Crimes and Treaſons; which Charge hath been read unto you: The Court now requires you to give your Poſitive and Final Anſwer by way of Confeſſion or Denial of the Charge.

King. Sir, I ſay again to you, ſo that I might give Satisfaction to the People of *England*, of the clearneſs of my Proceeding, not by way of Anſwer, not in this way, but to ſatisfie them, that I have done nothing againſt that Truſt that hath been committed to me, I would do it; but to acknowledge a new Court againſt their Privileges, to alter the Fundamental Laws of the Kingdom, *Sir*, you muſt excuſe me.

Bradſhaw. Sir, This is the third Time that you have publickly diſown'd this Court, and put an Affront upon it. How far you have preſerv'd the Privileges of the People, your Actions have ſpoke it; but truly, *Sir*, Mens Intentions ought to be known by their Actions: You have written your Meaning in bloody Characters throughout the whole Kingdom.

But, *Sir*, You underſtand the Pleaſure of the Court.

Clerk, Record the Default.

And, *Gentlemen*, you that took Charge of the Priſoner, take him back again.

King.

King. I will only ſay this one Word more to you; if it were only my own particular, I would not ſay any more, nor interrupt you.

Bradſhaw. Sir, you have heard the pleaſure of the Court, and you are (notwithſtanding you will not underſtand it) to find that you are before a Court of Juſtice.

Then the King went forth with the Guard.

And Proclamation was made, That all Perſons which had then appeared, and had further to do at the Court, might depart into the *Painted-Chamber*; to which Place the Court did forthwith Adjourn, and intended to meet at *Weſtminſter-Hall* by Ten of the Clock next Morning.

Cryer. God bleſs the Kingdom of *England.*

Mercurii, 24 Jan. 1648.

Painted-Chamber.

Three Proclamations made.

The Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident.*

Sir *Thomas Maleverer*, Bar.
Thomas Scot.
Edward Whalley.
John Carew.
Edmond Harvey.
Owen Roe.
John Blackiſtone.
William Purefoy.
Henry Smith.
John Fry.
Francis Laſſels.
Daniel Blagrave.
Anthony Stapeley.
Sir *Gregory Norton*, Bar.
William Cawley.
Robert Tichbourne.
Henry Martin.
Oliver Cromwell.
Sir *John Danvers.*
John Moore.
Richard Deane.
Vincent Potter.
Thomas Horton.
Cornelius Holland.
John Berkſtead.
Tho. Lord *Grey* of *Groby.*
John Huſon.
John Okey.
Gilbert Millington.
John Jones.
William Goffe.
Sir *John Bourchier.*
Iſaac Pennington, Ald. of *Lon.*
Simon Meyne.
Adrian Scroope.
John Diſwell.
Iſaac Ewers.
John Aldred.
Peter Temple.
Peregrine Pelham.
Edmond Ludlow.
John Hutchinſon.
Thomas Pride.
William Heveningham.
Sir *William Conſtable.*
Francis Allen.

The Court took into Conſideration the Manner how the Witneſſes ſhould be Examined; and in regard the King hath not pleaded to iſſue, and that this Examination was *ex abundanti* only for the further Satisfaction of themſelves,

Reſolved, That the Witneſſes ſhall be Examined to the Charge againſt the King, in the *Painted-Chamber*, before the Court there.

Ordered, That Mr. *Millington* and Mr. *Thomas Challoner* do forthwith repair unto *John Brown*, Eſq; Clerk of the Houſe of Peers for ſuch Papers as are in his Cuſtody, which are conducible for the Buſineſs and Service of this Court, and the ſaid Mr. *Brown* is required to ſend the ſaid Papers hither accordingly.

Witneſſes produced and ſworn in Court to give Evidence to the Charge againſt the King.

Henry Hartford.
Edward Roberts.
William Braynes.
Robert Lacy.
Robert Loades.
Samuel Morgan.
James Williams.
Michael Potts.
Giles Gryce.
William Arnop.
John Vinſon.
George Seely.
Tho. Ives.
James Crosby.
Tho. Rawlins.
Richard Blomfield.
John Thomas.
Samuel Lawſon.
John Pyneger.
George Cornewell.
Tho. Whittington.
William Jones.
Humprey Browne.
Arthur Young.
David Evans.
Diogenes Edwards.
Robert Williams.
John Bennett.
Samuel Burden.

Col. *Horton*, Col. *Deane*, Col. *Okey*, Col. *Huſon*, Col. *Roe*, Col. *Tichbourne*, Col. *Whalley*, Col. *Tomlinſon*, Col. *Goffe*, Col. *Ewers*, Col. *Scroope*, Mr. *Love*, Mr. *Scot*, Mr. *Tho. Challoner*, Mr. *Millington*, and Sir *John Danvers*, or any Three of them, are a Committee appointed to take the Examination of the ſaid Witneſſes now ſworn, whom the Clerks are to attend for that Purpoſe.

The Court granted their Summons for ſummoning further Witneſſes, and Adjourned it ſelf till the Morrow at Nine of the Clock in the Morning, to this Place.

Jovis

Jovis, 25 Jan. 1648.

Painted-Chamber.

Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.
Richard Deane.
Sir *Hardreſs Waller.*
John Moore.
Peregr. Pelham.
John Huſon.
John Barkſtead.
Edw. Whalley.
John Okey.
Edmond Harvey.
Adrian Scroope.
Henry Smith.
Thomas Scot.
William Cawley.
Gilbert Millington.
Thomas Challoner.
John Carew.
Sir *John Bourchier*, Kt.
Sir *Thomas Maleverer*, Bar.
Francis Allen.
Thomas Harriſon.
John Jones.
John Aldred.
John Browne.
Iſaac Ewers.
Robert Tichbourne.
Auguſtine Garland.
Francis Laſſels.
John Dixwell.
Sir *Michael Liveſey*, Bar.
John Venn.
Edmond Wild.
With divers others.

Here the Court ſate private.

The Court Ordered that the Marſhal General of this Army, or his Deputy do bring forthwith Mr. *Holder* Priſoner at *White-Hall*, to the End that he may teſtify his Knowledge of all ſuch Matters as ſhall be propounded unto him concerning the Charge againſt the King.

Ordered, That the Dean's Houſe in *Weſtminſter-Abbey*, be provided and furniſhed for the Lodging of the Lord Preſident and his Servants, Guards and Attendants; and a Committee are appointed to take care hereof accordingly.

Mr. *Henry Gouge* and Mr. *William Cuthbert*, Witneſſes produced to the Charge againſt the King, were ſworn and examined.

The Witneſſes ſworn in open Court, and after examined by the Committee appointed for that purpoſe the 24th Inſtant, were now in open Court called, and their reſpective Depoſitions were read to them, who did avow their ſaid ſeveral Depoſitions, and affirm what was ſo read unto them reſpectively, was true, upon the Oaths they had taken.

The Court being informed, that Major *Fox*, being of the Guard attending the Lord Preſident, is arreſted, and committed to the Keeper of *Ludgate*,

Ordered, That the ſaid Keeper do forthwith bring the ſaid Major before this Court, and attend this Court in Perſon himſelf.

M. *Holder* being brought before this Court according to the Order of this Day, and his Oath tendred unto him, to give Evidence to ſuch Matters as ſhould be propounded unto him concerning the Charge againſt the King, the ſaid Mr. *Holder* deſired to be ſpared from giving Evidence againſt the King.

Whereupon, the Commiſſioners finding him already a Priſoner, and perceiving that the Queſtions intended to be asked him, tended to accuſe himſelf, thought fit to wave his Examination, and remanded him (and accordingly did ſo) to the Priſon from whence he was brought,

The Depoſitions taken ut ſupra, *are as followeth*, viz.

Jan. 25. 1648.

William Cuthbert of *Patrington* in * *Holderneſs*, Gent. Aged 42 Years, or thereabouts, ſworn and examined, ſaith, That he, this Deponent, living at *Hull-Bridge*, near *Beverley*, in *July* 1642, did then hear that Forces were raiſed about three thouſand Foot, for the King's Guard under Sir *Robert Strickland*

And this Deponent further ſaith, That about the Second of *July* 1642, he ſaw a Troop of Horſe come to *Beverley*, being the Lords Day, about four or five of the Clock in the Afternoon, called the Princes Troop, Mr. *James Nelthorp* being then Major of the ſaid Town.

And this Deponent further ſaith, That he did ſee that Afternoon the ſaid Troop march from *Beverley* aforeſaid, into *Holderneſs*, where they received Ammunition brought up by the River of *Humber* unto them.

And this *Deponent* further ſaith, That the ſame Night being *Sunday*, there came about three hundred Foot Soldiers (ſaid to be Sir *Robert Strickland*'s Regiment) under the Command of Lieutenant Col. *Duncombe*, and called, *The King's Guard*, unto this Deponent's Houſe, called *Hull-Bridge*, near *Beverley*, about Midnight, and broke open, entred, and poſſeſſed themſelves of the ſaid Houſe; and that the Earl of *Newport*, the Earl of *Carnarvan*, and divers others came that Night thither to the ſaid Forces; and that the ſame Night (as this Deponent was then informed) Sir *Tho. Gower*, then High Sheriff of the ſaid County, came thither, and left there a Warrant for ſtaying all Proviſions from going to *Hull* to Sir *John Hotham*; which ſaid Warrant was then delivered to this *Deponent*, being Conſtable, by Lieut. Col. *Duncombe*.

And this Deponent further ſaith, That he was by the ſaid Forces put out of his Houſe, and did with his Family go to *Beverley*; and that after that (*viz.*) the *Thurſday* following, to this Deponent's beſt remembrance, he did ſee the King come to *Beverley*, to the Lady

* Holderneſs *is in the County of* York.

Lady *Gees* Houſe there; where he, this *Deponent*, did often ſee the King, with Prince *Charles* and the Duke of *York*; and that the Trained Bands were then raiſed in *Holderneſs*; who were raiſed (as was generally reported) by the King's Command.

And this *Deponent* further ſaith, That the Night after the ſaid Forces had as aforeſaid, poſſeſſed themſelves of this *Deponent*'s Houſe, Col. *Legard*'s Houſe was Plundered by them, being upon a *Monday*; which aforeſaid Entry of this *Deponent*'s Houſe, was the firſt * Act of Hoſtility that was committed in thoſe Parts.

And this *Deponent* further ſaith, That after the ſaid Sir *Robert Strickland*'s ſaid Company was gone from *Hull-Bridge*, having continued there about ten Days, there then came to the ſaid Houſe Col. *Wivel*, with about ſeven hundred Foot Soldiers, who then took up his Quarters at *Hull-Bridge* aforeſaid. And this *Deponent* further ſaith, That the Warrant he now produceth to this Court, is the ſame Original Warrant aforeſaid ſpoken of.

And this *Deponent* further ſaith, That the General's Name of the ſaid Forces that were there, and raiſed as aforeſaid, was the Earl of *Lindſey*, and that this *Deponent* was brought before him the ſaid General, in the Name of *The King's Lord General*, for holding Intelligence with Sir *John Hotham*, then Governour of *Hull*; and becauſe it was then informed to the ſaid General, that he this *Deponent* had Proviſions of Corn to ſend over unto *Ireland*, which he this *Deponent* was forbidden by the ſaid General to ſend unto *Ireland* or any place elſe where, without his or the King's Direction or Warrant firſt had in that Behalf,

The aforeſaid Warrant mentioned in the Depoſition of the ſaid William Cuthbert, *is as followeth*;

It is his Majeſty's Command, that you do not ſuffer any Victuals or Proviſion of what ſort ſoever, to be carried into the Town of *Hull*, without his Majeſty's ſpecial Licenſe firſt obtained; And of this you are not to fail at your Peril.

Dated at *Beverley*, 3, Julii, 1642.

Tho. Gower, Vi. Co.

To all Head Conſtables, and Conſtables in the East-Riding *of the County of* York, *and to all other his Majeſty's Loyal Subjects.*

John Bennet of *Harwood*, in the County of *York*, Glover, Sworn, and Examined, ſaith, That he being a Soldier under the King's Command,

---

* *Sir* John Hotham's *keeping* Hull *as a Garriſon againſt the King, which was before this, was, it ſeems no Act of Hoſtility in this Perjur'd Villain's account.*

Command, the firſt Day that the King's Standard was ſet up at *Nottingham*, which was about the middle of Summer laſt was ſix years, he this Examinant did work at *Nottingham*, and that he did ſee the King within the Caſtle of *Nottingham*, within two or three Days after the ſaid Standard was ſo ſet up, and that the ſaid Standard did fly the ſame Day that the King was in the ſaid Caſtle, as aforeſaid, and this *Deponent* did hear that the King was at *Nottingham* the ſame Day that the ſaid Standard was firſt ſet up, and before.

And this *Deponent* further ſaith, That he this *Deponent*, and the Regiment of which he then was, had their Colours then given them; and Sir *William Penyman* being the Colonel of the ſaid Regiment, the ſaid Sir *William Penyman* was preſent with his ſaid Regiment at that Time.

And this *Deponent* further ſaith, That there was then there, the Earl of *Lindſey*'s Regiment, who had then their Colours given them, and that the ſaid Earl of *Lindſey* was then alſo proclaimed there *the King's General*; and that it was proclaimed then there likewiſe in the King's Name at the Head of every Regiment, that the ſaid Forces ſhould fight againſt all that came to oppoſe the King, or any of his Followers; and in particular, againſt the Earl of *Eſſex*, the Lord *Brooke*, and divers others; and that they the ſaid Earl of *Eſſex*, and Lord *Brooke*, and divers others were then proclaimed Traitors, and that the ſame Proclamations were printed, and diſperſed by the Officers of the Regiments throughout every Regiment.

And this *Deponent* further ſaith, That the ſaid Standard was Advanced upon the higheſt Tower of *Nottingham* Caſtle; and that he this *Deponent*, did ſee the King often in *Nottingham* at that Time that the ſaid Forces continued at *Nottingham* as aforeſaid, they continuing there for the Space of one Month; and that the Drums for raiſing Volunteers to fight under the Kings Command, were then beaten all the ſaid County over, and divers other Forces were raiſed there.

And this *Deponent* further ſaith, That he did take up Arms under the King's Command as aforeſaid, for fear of being plundered; Sir *William Penyman* giving out, that it were a good Deed to Fire the ſaid Town, becauſe they would not go forth in the King's Service, and that this *Deponent*'s Father did thereupon Command him this *Deponent*, to take up Arms as aforeſaid, and that divers others (as they did confeſs) did then alſo take up Arms for the King for fear of being Plundered.

And this *Deponent* further ſaith, That in or about the Month of *October* 1642, he did ſee the King at *Edge-Hill* in *Warwickſhire*, where he ſitting on Horſeback while his Army was drawn up before him *, did ſpeak to the Colonel of every Regiment that paſſed

* *How is it poſſible this Fellow could ſwear the King ſpoke this to every Colonel, ſeeing it was as they paſſed by; and when his Colonel was paſſed by, he could hear no more.*

paſſed by him, that he would have them ſpeak to their Soldiers to encourage them to ſtand it, and to fight againſt the Lord of *Eſſex*, the Lord *Brookes*, Sir *William Waller*, and Sir *William Balfour*.

And this *Deponent* ſaith, That he did ſee many ſlain at the Fight at *Edge-Hill*, and that afterwards he did ſee a Liſt brought in unto *Oxford*, of the Men which were ſlain in that Fight; by which it was reported, that there were ſlain *6559* Men.

And this *Deponent* further ſaith, Afterwards, in or about the Month of *November* 1642. he did ſee the King in the Head of his Army at *Hunſlow-Heath* in *Middleſex*, Prince *Rupert* then ſtanding by him. And he, this *Deponent*, did then hear the King encourage ſeveral Regiments of *Welſhmen* (then being in the Field) which had run away at *Edge-Hill*, ſaying unto them, That *He did hope they would regain their Honour at* Brentford, *which they had loſt at* Edge-hill.

William Brayne of *Wixhall* in the County of *Salop*, Gent. being Sworn and Examined depoſeth, That about *Auguſt* in the Year 1642, this Deponent ſaw the King at *Nottingham*, while the Sandard was ſet up, and the Flagg flying; and that he, this *Deponent* much about the ſame Time marched with the King's Army from *Nottingham* to *Derby*, the King himſelf being then in the Army; And about *September* the ſaid Year, he, this *Deponent*, was put upon his Trial at *Shrewsbury* as a Spy, before Sir *Robert Heath*, and other Commiſſioners of *Oyer* and *Terminer*, the King then being in Perſon in *Shrewsbury*.

Henry Hartford of *Stratford* upon *Avon* in *Warwickſhire*, Sworn and Examined, depoſeth, That about Corn-Harveſt in the Year 1642, this Deponent ſaw the King in *Nottingham* Caſtle, while the Standard was ſet upon one of the Towers of the ſaid Caſtle, and the Flagg flying.

And he further ſaith and depoſeth, That he, this *Deponent*, ſaw the King the ſame Year about the Month of *November* in *Brainford* Town on Horſeback, with a great many Commanders about him, on a *Sunday* Morning, when on the *Saturday* Night before, there were a great many of the Parliament's Forces ſlain by the King's Forces in the ſaid Town.

Robert Lacy of the Town and County of *Nottingham*, Painter, Sworn and Examined, depoſeth, That he, this Deponent in Summer-time, in the Year 1642, by Order from my Lord *Beaumont*, did paint the Standard-Pole which was ſet up on the top of the old Tower of *Nottingham* Caſtle: And he further ſaith, That he ſaw the King in the Town of *Nottingham* diverſe Times while the Standard was up there, and the Flag flying, and the King did lie at the Houſe of my Lord of *Clare* in *Nottingham* Town, and that he this *Deponent*, did then and there ſee the King many Times.

Edward

Edward Roberts of *Biſhop-Caſtle* in the County of *Salop*, Iron-monger, Sworn and Examined, ſaith and depoſeth, That he this *Deponent*, ſaw the King in *Nottingham* Town while the Standard was ſet upon the High-Tower in *Nottingham* Caſtle.

And he further ſaith, That he ſaw the King at the Head of the Army at *Shrewsbury*, upon the March towards *Edge-Hill*, and that he likewiſe ſaw the King in the Rear of his Army in *Keynton Field*; and likewiſe ſaw the King upon the *Sunday* Morning at *Brainford*, after the Fight upon the *Saturday* next before, in the ſaid Town.

Robert Loads of *Cottam* in *Nottinghamſhire*, Tyler, Sworn and Examined, ſaith, That he this *Deponent*, about *October* in the Year 1642, ſaw the King in the Rear of his Army in *Keynton* Field upon a *Sunday*, where he ſaw many ſlain on both ſides.

And he further ſaith, That he ſaw the King in *Cornwal* in his Army, near the Houſe of my Lord *Mohun*, about *Leſtithiel*, about Corn-Harveſt 1644.

Samuel Morgan of *Wellington* in Com. *Salop*, Felt-maker, Sworn and Examined, depoſeth, That he this *Deponent*, upon a *Sunday* Morning in *Keynton* Field, ſaw the King upon the top of *Edge-hill* in the Head of the Army, ſome two Hours before the Fight, which happened after *Michaelmas* on a *Sunday* the Year 1642. And he this Deponent ſaw many Men killed on both ſides in the ſame Time and Place.

And he further ſaith, That in the Year 1644, he, this *Deponent*, ſaw the King in his Army near *Cropedy*-Bridge, where he ſaw the King light off his Horſe, and draw up the Body of his Army in Perſon himſelf.

James Williams of *Roſs* in *Herefordſhire*, Shoemaker, Sworn and Examined, depoſeth, That he this *Deponent*, about *October*, the Year 1642, ſaw the King in *Keynton* Fields below the Hill in the Field with his Sword drawn in his Hand, at which Time and Place there was a great Fight, and many kill'd on both ſides.

And he further depoſeth, That he ſaw the King at *Brainford* on a *Sunday* in the Forenoon, in *November* the Year aboveſaid, while the King's Army was in the ſaid Town, and round about it.

John Pyneger of the Pariſh of *Hainer* in the County of *Derby* Yeoman, Aged 37 Years or thereabout, Sworn and Examined, ſaith, That about *Auguſt* 1642, he the *Deponent* ſaw the King's Standard flying upon one of the Towers of *Nottingham* Caſtle; and that upon the ſame Day he ſaw the King in *Thurland*-Houſe, being the Earl of *Clare*'s Houſe in *Nottingham*, in the Company of Prince *Rupert*, Sir *John Digby*, and other Perſons, both Noblemen and others, and that the King had at the ſame Time in the ſaid Town a Train of Artillery, and the ſaid Town was then full of the King's Soldiers.

Samuel

Samuel Lawſon of *Nottingham*, Malſter, Aged Thirty Years or thereabouts, Sworn and Examined, ſaith, That about *Auguſt* 1642, he this *Deponent* ſaw the King's Standard brought forth of *Nottingham* Caſtle, born upon diverſe Gentlemens Shoulders (who as the Report was) were Noblemen, and he ſaw the ſame by them carried to the Hill cloſe adjoining to the Caſtle, with a Herald before it, and there the ſaid Standard was Erected with great Shoutings, Acclamations, and Sound of Drums and Trumpets, and that when the ſaid Standard was ſo Erected, there was a Proclamation made, and that he this *Deponent* ſaw the King preſent at the Erecting thereof. And this *Deponent* further ſaith, That the ſaid Town was then full of the King's Soldiers, of which ſome quartered in this *Deponent's* Houſe, and that when the King with his ſaid Forces went from the ſaid Town, the Inhabitants of the ſaid Town were forced to pay a great Sum of Money to the King's Army, being threatned, that in caſe they ſhould refuſe to pay it, the ſaid Town ſhould be plundred.

Arthur Young, Citizen and Barber Chirurgeon of *London*, being Aged twenty nine Years or thereabouts, Sworn and Examined, ſaith, That he this *Deponent* was preſent at the Fight at *Edge-Hill* between the King's Army and the Parliament's, in *October* 1642, and he did then ſee the King's Standard advanced, and flying in his Army in the ſaid Fight. And that he this *Deponent*, did then take the King's ſaid Standard in that Battle from the King's Forces, which was afterwards taken from him by one *Middleton*, who was afterwards made a Colonel.

Thomas Whittington of the Town and County of *Nottingham*, Shoemaker, Aged twenty two Years, ſworn and examined, ſaith, that he, this *Deponent*, ſaw the King in the Town of *Nottingham* the ſame Day that his Standard was firſt ſet up in *Nottingham* Caſtle, being about the beginning of *Auguſt* 1642, and that the King then went from his Lodgings at *Thurland* Houſe, towards the ſaid Caſtle; and that he, this *Deponent*, ſaw him ſeveral Times about that Time in *Nottingham*, there being divers Soldiers at that Time in the ſaid Town, who were called by the Name of the King's Soldiers.

And this *Deponent* further ſaith. That he ſaw the King's Standard flying upon the *Old Tower* in the ſaid Caſtle.

John Thomas of *LLangollen* in the County of *Denbigh*, Husbandman, Aged twenty five Years, or thereabouts, ſworn and examined, ſaith, that he ſaw the King at *Brainford* in the County of *Middleſex*, on a *Saturday* Night at Twelve of the Clock, ſoon after *Edge-Hill* Fight, attended with Horſe and Foot Soldiers, the King being then on Horſe back with his Sword by his ſide; and this *Deponent* then heard the King ſay to the ſaid Soldiers as he was riding through the ſaid Town, *Gentlemen, you loſt your Honour at* Edge-Hill, *I hope you will regain it again here*; or Words to that Effect.

And this *Deponent* further ſaith, That there were ſome Skirmiſhes between the King's Army and the Parliament's Army, at the ſame Time, both before and after the King ſpake the ſaid Words, and that many Men were ſlain on both ſides.

Richard Blomfield, Citizen and Weaver of *London*, Aged thirty five Years, or thereabouts, ſworn and examined, ſaith, that at the Defeat of the Earl of *Eſſex*'s Army in *Cornwal*, he this *Deponent* was there, it being at the latter End of the Month of *Auguſt*, or beginning of *September* 1644, at which Time, he this *Deponent* ſaw the King at the Head of his Army, near *Foy*, on Horſeback: And further ſaith, that he did then ſee divers of the Lord of *Eſſex*'s Soldiers plundered, contrary to Articles then lately made, near the Perſon of the King.

William Jones of *Uske* in the County of *Monmouth*, Husbandman, Aged twenty two Years, or thereabouts, ſworn and examined, ſaith, That he this *Deponent* did ſee the King within two Miles of *Naſeby*-Field, the King then coming fromwards *Harborough*, marching in the Head of his Army, towards *Naſeby*-Field where the Fight was, and that he this *Deponent* did then ſee the King ride up to the Regiment which was Col. St *George*'s, and there the *Deponent* did hear the King ask the Regiment, *Whether they were willing to fight for him?* To which the Soldiers made an Acclamation, crying, *All, All.*

And this *Deponent* further ſaith, That he ſaw the King in *Leiceſter* with his Forces, the ſame Day that the King's Forces had taken it from the Parliament's Forces,

And this *Deponent* further ſaith, That he ſaw the *King* in his Army that beſieged *Glouceſter* at the Time of the ſaid Siege.

Humphrey Brown of *Whitſondine* in the County of *Rutland*, Huſbandman, Aged twenty two Years or thereabouts, ſworn and examined, ſaith, That at ſuch Time as the Town of *Leiceſter* was taken by the King's Forces, being in or about *June* 1645, *Newark* Fort in *Leiceſter* aforeſaid, was ſurrendered to the King's Forces upon Compoſition, that neither Cloaths nor Money ſhould be taken away from any of the Soldiers of that Fort which had ſo ſurrendered, nor any violence offered to them; and that as ſoon as the ſaid Fort was upon ſuch Compoſition ſo ſurrendered as aforeſaid, the King's Soldiers contrary to the Articles, fell upon the Soldiers of the ſaid Fort, ſtript, cut and wounded many of them; whereupon, one of the King's Officers rebuking ſome of thoſe that did ſo abuſe the ſaid Parliament's Soldiers, this *Deponent* did then hear the King reply, *I do not care if they cut them three times more, for they are mine Enemies*, or Words to that Effect: And that the King was then on Horſeback, in bright Armour, in the ſaid Town of *Leiceſter*.

David

David Evans of *Abergenny*, in the County of *Monmouth*, Smith, Aged about twenty three Years, Sworn and Examined, ſaith, That about half an Hour before the Fight at *Naſeby*, about Midſummer in *June*, 1645, he ſaw the King marching up to the Battail in the Head of his Army, being about half a Mile from the Place where the ſaid Battail was fought.

Diogenes Edwards, of *Carſtoun* in the County of *Salop*, Butcher, Aged 21 Years or thereabouts, Sworn and Examined, ſaith, That in *June* 1645. he this *Deponent* did ſee the King in the Head of his Army, an Hour and a half before the Fight in *Naſeby*-Field, marching up to the Battail, being then a Mile and a half from the ſaid Field: And this *Deponent* ſaith, That he did afterwards the ſame Day, ſee many ſlain at the ſaid Battail.

Giles Gryce of *Wellington*, in *Shropſhire*, Gent Sworn and Examined, Depoſeth, That he this *Deponent*, ſaw the King in the Head of his Army, at *Cropedy*-Bridge, with his Sword drawn in his Hand, that Day when the Fight was againſt Sir *William Waller*, on a *Friday*, as this *Deponent* remembreth, in the Year 1644, about the Month of *July*. And he further ſaith,

That he ſaw the King in the ſame Summer, in *Cornwall*, in the Head of his Army, about *Leſtithiel* at ſuch Time as the Earl of *Eſſex* was there with his Army. And he further ſaith,

That he alſo ſaw the King in the Head of his Army, at the ſecond Fight near *Newbery*. And further ſaith,

That he ſaw the King in the Front of the Army, in *Naſeby* Field, having Back and Breaſt on: And he further ſaith,

That he ſaw the King in the Head of the Army, at what Time the Town of *Leiceſter* was ſtormed, and ſaw the King Ride into the Town of *Leiceſter*, after the Town was taken, and he ſaw a great many Men killed on both ſides, at *Leiceſter*, and many Houſes plundered.

John Vinſon of *Damorham* in the County of *Wilts*, Gent. Sworn and Examined, ſaith, That he did ſee the King at the firſt *Newberry* Fight, about the Month of *September* 1643, in the Head of his Army, where this *Deponent* did ſee many ſlain on both ſides; this *Deponent* alſo ſaith,

That he did ſee the King at the ſecond Battail at *Newberry*, about the Month of *November* 1644, where the King was at the Head of his Army in Complete Armour, with his Sword drawn; and this *Deponent* did then ſee the King lead up Colonel *Thomas Howard*'s Regiment of Horſe, and did hear him make a Speech to the Soldiers, in the Head of that Regiment to this effect, that is to ſay, *That the ſaid Regiment ſhould ſtand to him that Day, for that his Crown lay upon the Point of the Sword and if he loſt that Day he loſt his Honour and his Crown for ever.* And that this *Deponent* did ſee many ſlain on both ſides, at that Battail. This *Deponent* further ſaith,

And this *Deponent* further ſaith, That there were ſome Skirmiſhes between the King's Army and the Parliament's Army, at the ſame Time, both before and after the King ſpake the ſaid Words, and that many Men were ſlain on both ſides.

Richard Blomfield, Citizen and Weaver of *London*, Aged thirty five Years, or thereabouts, ſworn and examined, ſaith, that at the Defeat of the Earl of *Eſſex*'s Army in *Cornwal*, he this *Deponent* was there, it being at the latter End of the Month of *Auguſt*, or beginning of *September* 1644, at which Time, he this *Deponent* ſaw the King at the Head of his Army, near *Foy*, on Horſeback: And further ſaith, that he did then ſee divers of the Lord of *Eſſex*'s Soldiers plundered, contrary to Articles then lately made, near the Perſon of the King.

William Jones of *Uske* in the County of *Monmouth*, Husbandman, Aged twenty two Years, or thereabouts, ſworn and examined, ſaith, That he this *Deponent* did ſee the King within two Miles of *Naſeby*-Field, the King then coming fromwards *Harborough*, marching in the Head of his Army, towards *Naſeby*-Field where the Fight was, and that he this *Deponent* did then ſee the King ride up to the Regiment which was Col. St *George*'s, and there the *Deponent* did hear the King ask the Regiment, *Whether they were willing to fight for him?* To which the Soldiers made an Acclamation, crying, *All, All.*

And this *Deponent* further ſaith, That he ſaw the King in *Leiceſter* with his Forces, the ſame Day that the King's Forces had taken it from the Parliament's Forces.

And this *Deponent* further ſaith, That he ſaw the *King* in his Army that beſieged *Glouceſter* at the Time of the ſaid Siege.

Humphrey Brown of *Whitſondine* in the County of *Rutland*, Huſbandman, Aged twenty two Years or thereabouts, ſworn and examined, ſaith, That at ſuch Time as the Town of *Leiceſter* was taken by the King's Forces, being in or about *June* 1645, *Newark* Fort in *Leiceſter* aforeſaid, was ſurrendered to the King's Forces upon Compoſition, that neither Cloaths nor Money ſhould be taken away from any of the Soldiers of that Fort which had ſo ſurrendered, nor any violence offered to them; and that as ſoon as the ſaid Fort was upon ſuch Compoſition ſo ſurrendered as aforeſaid, the King's Soldiers contrary to the Articles, fell upon the Soldiers of the ſaid Fort, ſtript, cut and wounded many of them; whereupon, one of the King's Officers rebuking ſome of thoſe that did ſo abuſe the ſaid Parliament's Soldiers, this *Deponent* did then hear the King reply, *I do not care if they cut them three times more, for they are mine Enemies*, or Words to that Effect: And that the King was then on Horſeback, in bright Armour, in the ſaid Town of *Leiceſter*.

David

David Evans of *Abergenny*, in the County of *Monmouth*, Smith, Aged about twenty three Years, Sworn and Examined, ſaith, That about half an Hour before the Fight at *Naſeby*, about Midſummer in *June*, 1645, he ſaw the King marching up to the Battail in the Head of his Army, being about half a Mile from the Place where the ſaid Battail was fought.

Diogenes Edwards, of *Carſtoun* in the County of *Salop*, Butcher, Aged 21 Years or thereabouts, Sworn and Examined, ſaith, That in *June* 1645. he this *Deponent* did ſee the King in the Head of his Army, an Hour and a half before the Fight in *Naſeby* Field, marching up to the Battail, being then a Mile and a half from the ſaid Field: And this *Deponent* ſaith, That he did afterwards the ſame Day, ſee many ſlain at the ſaid Battail.

Giles Gryce of *Wellington*, in *Shropſhire*, Gent Sworn and Examined, Depoſeth, That he this *Deponent*, ſaw the King in the Head of his Army, at *Cropedy* Bridge, with his Sword drawn in his Hand, that Day when the Fight was againſt Sir *William Waller*, on a *Friday*, as this *Deponent* remembreth, in the Year 1644, about the Month of *July*. And he further ſaith,

That he ſaw the King in the ſame Summer, in *Cornwall*, in the Head of his Army, about *Leſtithiel* at ſuch Time as the Earl of *Eſſex* was there with his Army. And he further ſaith,

That he alſo ſaw the King in the Head of his Army, at the ſecond Fight near *Newbery*. And further ſaith,

That he ſaw the King in the Front of the Army, in *Naſeby* Field, having Back and Breaſt on: And he further ſaith,

That he ſaw the King in the Head of the Army, at what Time the Town of *Leiceſter* was ſtormed, and ſaw the King Ride into the Town of *Leiceſter*, after the Town was taken, and he ſaw a great many Men killed on both ſides, at *Leiceſter*, and many Houſes plundered.

John Vinſon of *Damorham* in the County of *Wilts*, Gent. Sworn and Examined, ſaith, That he did ſee the King at the firſt *Newberry* Fight, about the Month of *September* 1643, in the Head of his Army, where this *Deponent* did ſee many ſlain on both ſides; this *Deponent* alſo ſaith,

That he did ſee the King at the ſecond Battail at *Newberry*, about the Month of *November* 1644, where the King was at the Head of his Army in Complete Armour, with his Sword drawn; and this *Deponent* did then ſee the King lead up Colonel *Thomas Howard*'s Regiment of Horſe, and did hear him make a Speech to the Soldiers, in the Head of that Regiment to this effect, that is to ſay, *That the ſaid Regiment ſhould ſtand to him that Day, for that his Crown lay upon the Point of the Sword and if he loſt that Day he loſt his Honour and his Crown for ever.* And that this *Deponent* did ſee many ſlain on both ſides, at that Battail. This *Deponent* further ſaith,

That he did ſee the King in the Battail at *Naſeby* Field, in *Northamptonſhire*, on or about the Month of *June* 1645, where the King was then Completely Armed with Back, Breaſt and Helmet, and had his Sword drawn, where the King himſelf after his Party was Routed, did Rally up the Horſe, and cauſed them to ſtand; and at that Time this *Deponent* did ſee many ſlain on both ſides.

George Seely of *London*, Cordwainer, Sworn and Examined, ſaith, That he did ſee the King at the Head of a Brigade of Horſe, at the Siege of *Glauceſter*, and did alſo ſee the King at the firſt Fight at *Newberry*, about the Month of *September* 1643, where the King was at the Head of a Regiment of Horſe; and that there were many ſlain at that Fight on both ſides: This *Deponent* alſo ſaith,

That he did ſee the King at the ſecond Fight at *Newberry*, which was about *November* 1644, where the King was in the middle of his Army.

John Moore of the City of *Corke* in *Ireland*, Gent. Sworn and Examined, ſaith, That at the laſt Fight at *Newberry*, about the Month of *November* 1644, he this Deponent did ſee the King in the middle of the Horſe, with his Sword drawn, and that he did ſee abundance of Men at that Fight ſlain upon the Ground, on both Sides: This Deponent alſo ſaith,

That he did ſee the King ride into *Leiceſter*, before a Party of Horſe, the ſame Day that *Leiceſter* was taken by the King's Forces, which was about the Month of *June* 1645.

This Deponent further ſaith, That he did ſee the King before the Fight at *Leiceſter*, at *Cropedy Bridge*, in the midſt of a Regiment of Horſe, and that he did ſee many ſlain at the ſame time, when the King was in the Fight at *Cropedy-Bridge*.

And Laſtly, this Deponent ſaith, That he did ſee the King, at the Head of a Regiment of Horſe at *Naſeby* Fight about the Month of *June* 1645, where he did ſee abundance of Men, cut, ſhot and ſlain.

Thomas Ives of *Boyſet* in the County of *Northampton*, Husbandman, Sworn and Examined, ſaith, That he did ſee the King in his Army at the firſt Fight of *Newberry* in *Berkſhire*, in the Month of *September* 1643, and that he did ſee many ſlain at that Fight, he this Deponent and others with a Party of Horſe, being commanded to face the Parliament's Forces, whilſt the Foot did fetch off the dead.

He ſaith alſo, That he did ſee the King advance with his Army to the Fight at *Naſeby* Field in *Northamptonſhire*, about *June* 1645, and that he did again at that Fight ſee the *King* come off with a Party of Horſe after that his Army was Routed in the Field, and that there were many Men ſlain on both Parts, at that Battail at *Naſeby*.

Thomas Rawlins of *Hanſlop* in the County of *Bucks*, Gent. Sworn and Examined, ſaith, That he did ſee the *King* neat *Foy* in *Cornwal* in

in or about the Month of *July* 1644, at the Head of a Party of Horſe; and this *Deponent* did ſee ſome Soldiers plunder after the Articles of Agreement made between the *King*'s Army and the Parliament's Forces, which Soldiers were ſo plundered by the *King*'s Party, not far diſtant from the Perſon of the *King*.

Thomas Read of *Maidſtone* in the County of *Kent*, Gent. Sworn and Examined, ſaith, That preſently after the laying down of Arms in *Cornwal*, between *Leſtithiel* and *Foy*, in or about the latter End of the Month of *Auguſt*, or the beginning of *September* 1644, he this *Deponent* did ſee the *King* in the Head of a Guard of Horſe.

James Crosby of *Dublin* in *Ireland*, Barber, Sworn and Examined, ſaith, That at the firſt Fight at *Newberry*, about the Time of Barley-Harveſt 1643, he this *Deponent* did ſee the *King* riding from *Newberry* Town, accompanied with divers Lords and Gentlemen, towards the Place where his Forces were then Fighting with the Parliament's Army.

Samuel Burden of *Lyneham* in the County of *Wilts*, Gent. Sworn and Examined, ſaith, That he, this Deponent, was at *Nottingham* in or about the Month of *Auguſt* 1642, at which Time he ſaw a Flag flying upon the Tower of *Nottingham*-Caſtle; and that the next Day afterwards he did ſee the *King* at *Nottingham*, when the ſaid Flag was ſtill flying, which Flag this *Deponent* then heard was the *King*'s Standard.

He ſaith alſo, That he did afterwards ſee the *King* at *Cropedy*-Bridge in the Head of his Army, in a Fallow Field there, and did ſee the *King* in purſuit of Sir *William Waller*'s Army, being then Routed, which was about the Month of *July* 1644, and at that Time this *Deponent* did ſee many People ſlain upon the Ground.

And further this *Deponent* ſaith, That in or about the Month of *November* 1644, he did ſee the *King* at the laſt Fight at *Newberry*, riding up and down the Field from Regiment to Regiment, whilſt his Army was there fighting with the Parliament's Forces; and this *Deponent* did ſee many Men ſlain at that Battel on both ſides.

Michael Potts of *Sharpereton* in the County of *Northumberland*, Vintner, Sworn and Examined, depoſeth, That he, this *Deponent*, ſaw the *King* in the Head of the Army in the Fields about a Mile and a half from *Newberry* Town, upon the Heath, the Day before the Fight was, it being about Harveſt-tide in the Year 1643.

And he further ſaith, That he ſaw the *King* on the Day after, when the Fight was, ſtanding near a great Piece of Ordnance in the Fields.

And he further ſaith, That he ſaw the *King* in the ſecond *Newberry* Fight in the Head of his Army, being after or about *Michaelmas* 1644.

And he further ſaith, That he ſaw a great many Men ſlain at both the ſaid Battles.

And

And he further ſaith, That he ſaw the King in the Head of his Army near *Cropedy*-Bridge in the Year 1644.

And he further ſaith, That he ſaw the *King* in the Head of his Army in *Cornwal*, near *Leſtithiel*, while the Earl of *Eſſex* lay there with his Forces, about the middle of Harveſt 1644.

George Cornwal of *Aſton* in the County of *Hereford*, Ferryman, Aged Fifty Years, or thereabouts, Sworn and Examined, ſaith, That he, this *Deponent*, did ſee the *King* near *Cropedy-Bridge*, about the Time of Mowing of Corn, 1644, in the Van of the Army there, and that he drew up his Army upon a Hill, and faced the Parliament's Army; and that there was thereupon a Skirmiſh between the *King*'s and the Parliament's Army; where he, this *Deponent*, ſaw divers Perſons ſlain on both ſides.

The Examination of Henry Gooche *of* Grayes-Inn *in the County of* Middleſex, *Gent. Sworn and Examined.*

This *Deponent* ſaith, That upon or about the Thirtieth Day of *September* laſt, he this *Deponent*, was in the Iſle of *Wight*, and had Acceſs unto, and Diſcourſe with the *King*, by the Means of the Lord Marqueſs of *Hartford*, and Commiſſary *Morgan*; where this *Deponent* told the *King*, that his Majeſty had many Friends; and that ſince his Majeſty was pleaſed to juſtifie the Parliament's firſt taking up Arms, the moſt of the *Presbyterian* Party both Soldiers and others, would ſtick cloſe to him; to which the *King* anſwered thus, That he would have all his old Friends know, that though for the preſent he was contented to give the Parliament leave to call their own War what they pleaſed, yet that he neither did at that Time, nor ever ſhould decline the Juſtice of his own Cauſe.

And this *Deponent* told the *King*, that his Buſineſs was much retarded, and that neither Colonel *Thomas*, nor any other could proceed to Action, through want of Commiſſion.

The *King* anſwered, That he being upon a Treaty, would not diſhonour himſelf; but that if he, this *Deponent* would take the pains to go over to the Prince his Son (who had full Authority from him) he the ſaid *Deponent*, or any for him, ſhould receive whatſoever Commiſſions ſhould be deſired; and to that Purpoſe, he would appoint the Marqueſs of *Hartford* to write to his Son in his Name, and was pleaſed to expreſs much of Joy and Affection, that his good Subjects would engage themſelves for his Reſtauration.

Robert Williams of the Pariſh of St. *Martins* in the County of *Cornwal*, Husbandman, Aged twenty three Years, or thereabouts, Sworn and Examined, ſaith, That he this *Deponent*, did ſee the *King* marching in the Head of his Army about *September* 1644, a Mile from *Leſtithiel* in *Cornwal*, in Armour, with a ſhort Coat over it unbuttoned.

And

And this *Deponent* further ſaith, That he ſaw him after that in St. *Auſtel* Downes, drawing up his Army.

And this *Deponent* ſaith, he did after that ſee the *King* in the Head of his Army near *Foy*, and that the Earl of *Eſſex* and his Army did then lie within one Mile and a half of the *King*'s Army.

The Witneſſes being examined as aforeſaid, the Court Adjourned for an Hour.

25 Jan. 1648. *poſt Merid.*

Commiſſioners preſent.

John Bradſhaw, *Serjeant at Law*, Lord Preſident *of this Court.*
Daniel Blagrave.
John Okey.
Henry Martin.
John Carew.
Thomas Horton.
Sir Michael Liveſey, *Bar.*
Owen Roe.
Sir John Borchier, *Kt.*
Thomas Scot.
John Moore.
Oliver Cromwell.
William Goffe.
Richard Deane.
Cornelius Holland.
Thomas Harriſon.
Robert Lilbourne.
John Downs.
Edmond Ludlow.
Peregr, Pelham.
Sir Henry Mildmay.
John Jones.
Valentine Wauton.
Sir Gregory Norton, *Bar.*
Sir Thomas Maleverer, *Bar.*
Adrian Scroope.
Henry Smith.
Anthony Stapeley.
John Huſon.
Sir William Conſtable, *Bar.*
John Berkſtead.
Sir John Danvers.
Edward Whalley.
Thomas Waite.
William Purefoy.
Thomas Pride.
John Fry.
John Blackiſtone.
Sir Hardreſs Waller, *Kt.*
John Venn.
Robert Tichbourne.
Humphrey Edwards.
Peter Temple.
Vincent Potter.
William Cawley.
Iſaac Ewers.

Richard Price of *London*, Scriviner, was produced a Witneſs to the Charge againſt the *King*, who being Sworn and Examined, ſaith,

That upon occaſion of ſome tampering by the *King*'s Agents with the *Independents* in and about *London*, to draw them from the Parliament's Cauſe, to the *King*'s Party; and this being diſcovered by ſome of thoſe ſo tampered with, unto ſundry Members of the *Committee of Safety*, who directed a carrying on of a ſeeming Compliance with the *King*, he, this *Deponent* did travel to *Oxford*, in *January* 1643, having a ſafe Conduct under the *King*'s Hand and Seal, which he, this *Deponent* knoweth to be ſo, for that the *King* did own it when he was told that this *Deponent* was the Man that came to *Oxon* with that ſafe Conduct.

And

And this *Deponent* alſo ſaith, That after ſundry Meetings between him and the Earl of *Briſtol*, about the drawing of the *Independents* unto the *King's* Cauſe againſt the Parliament, the Subſtance of the Diſcourſe, at which Meetings the ſaid Earl told this *Deponent*, was communicated to the *King*, he, this *Deponent*, was by the ſaid Earl brought to the *King* to confer further about that Buſineſs; where the *King* declared, *That he was very ſenſible that the* Independents *had been the moſt active Men in the Kingdom for the Parliament againſt him*; and thereupon perſwaded this *Deponent* to uſe all Means to expedite their turning to him and his Cauſe: And for their better Encouragement, the *King* promiſed in the Word of a *King*, That, if they, the *Independents*, would turn to him, and be active for him againſt the Parliament, as they had been active for them againſt him, then he would grant them whatſoever freedom they would deſire: And the *King* did then refer this *Deponent* unto the Earl of *Briſtol*, for the further proſecuting of the ſaid Buſineſs.

And the ſaid Earl thereupon (this *Deponent* being withdrawn from the *King*) did declare unto this *Deponent*, and willed him to impart the ſame unto the *Independents*, for their better Encouragement, That the *King's* Affairs proſpered well in *Ireland*: That the *Iriſh* Subjects had given the Rebels (meaning the Parliaments forces) a great Defeat: That the *King* had ſent the Lord *Byron* with a ſmall Party towards *Cheſhire*, and that he was greatly multiplied, and had a conſiderable Army, and was then before *Nimptwich*, and would be ſtrengthened with more Soldiers out of *Ireland*, which were come and expected daily: And when this *Deponent* was to depart out of *Oxford*, four ſafe Conducts with Blanks in them, for the inſerting what Names this *Deponent* pleaſed, were delivered to him, under the *King's* Hand and Seal; and one *Ogle* was ſent out of *Oxon* with this *Deponent*, to treat about the delivering up of *Aliſbury* to the King, it being then a Garriſon for the Parliament, and at the ſame Time *Oxford* was a Garriſon for the *King*.

Several Papers and Letters of the *King's*, under his own Hand, and of his own writing, and other Papers are produced and read in open Court.

Mr. *Thomas Challoner* alſo reporteth ſeveral Papers and Letters of the *King's* writing, and under the *King's* own Hand.

After which the Court ſate private.

The Court taking into Conſideration the whole Matter in Charge againſt the *King*, paſſed theſe *Votes* following, as preparatory to the Sentence againſt the *King*, but ordered that they ſhould not be binding finally to conclude the Court, *viz.*

Reſolved upon the whole Matter, *That this Court will proceed to Sentence of* Condemnation *againſt* Charles Stuart, *King of England.*

Reſolved, *&c. That the* Condemnation *of the King ſhall be for a* Tyrant, Traitor *and* Murtherer,

That

That the Condemnation of the King, ſhall be likewiſe for being a publique Enemy to the Common-wealth *of* England.

That this Condemnation *ſhall extend to* Death.

Memorandum, *The laſt aforementioned Commiſſioners were preſent at theſe Votes.*

The Court being then moved concerning the Depoſition and Deprivation of the King before, and in Order to that part of his Sentence, which concerned his Execution, thought fit to defer the Conſideration thereof to ſome other Time, and Ordered the Draught of a Sentence grounded upon the ſaid Votes, to be accordingly prepared by Mr. *Scot*, Mr. *Martin*, Col. *Harriſon*, Mr. *Liſle*, Mr. *Say*, Commiſſary Gen. *Ireton* and Mr. *Love*, or any three of them, with a Blank for the Manner of his Death.

Ordered, That the Members of this Court who are in and about *London*, and are not now preſent, be Summoned to attend the Service of this Court, to Morrow at one of the Clock in the Afternoon; for whom Summons were iſſued forth accordingly.

The Court Adjourned it ſelf till the Morrow at One of the Clock in the Afternoon.

Veneris, 26 Jan. 1648. *Poſt Merid.*

Painted-Chamber.

Three Proclamations. *The Court called.*

Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.
Oliver Cromwell.
Henry Ireton.
Sir *Hardreſs Waller.*
Valentine Wauton.
Tho. Harriſon.
Edward Whalley.
Thomas Pride.
Iſaac Ewers.
Thomas Lord *Grey* of *Groby.*
Sir *John Danvers.*
Sir *Henry Mildmay*, Kt.
William Heveningham.
Henry Martin.
William Parefoy.
John Blackiſtone.
Gilbert Millington.
Sir *William Conſtable*, Bar.
Edmond Ludlow.
John Hutchinſon.
Sir *Michael Liveſey*, Bar.
Robert Tichbourne.
Owen Roe.
Adrian Scroope.
John Dixwell.
Simon Meyne.
Peter Temple.
Thomas Wait.
Cornelius Holland.
Thomas Scot.
Francis Allen.
Richard Deane.
John Okey.
John Huſon.
John Carew.
John Jones.
Miles Corbet.
William Goffe.
Peregrine Pelham.
John Moore.
William Lord *Mounſon.*
Humphrey Edwards.
Thomas Wogan.
Sir *Gregory Norton.*
John Dove.
John Venn.
William Cawley.
Anthony Stapeley.
John Downes.
Thomas Horton.
Thomas Hammond.
John Liſle.
Nicholas Love.
Auguſtine Garland.
George Fleetwood.
James Temple.
Daniel Blagrave.
John Browne.
Henry Smith.
John Berkſtead.
Sir *Tho. Maleverer*, Bar.
Vincent Potter.

62 Commiſſioners preſent.

Here the Court ſate private.

The Draught of a Sentence againſt the King, is according to the Votes of the 25th Inſtant, prepared, and after ſeveral Readings, Debates and Amendments, by the Court thereupon.

Reſolved, &c. *That* this Court do agree to the Sentence now read.

That, the ſaid Sentence ſhall be ingroſſed.

That, the King be brought to *Weſtminſter* to Morrow, to receive his Sentence.

The

The Court Adjourned it ſelf till the Morrow at Ten of the Clock in the Morning to this Place; the Court giving Notice that they then intended to Adjourn from thence to *Weſtminſter-Hall.*

Sabbati, 27 Jan. 1648.

Painted Chamber.

Three Proclamations being made, *The Court is thereupon called.*

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident.*
Oliver Cromwell.
Henry Ireton.
Sir *Hardreſs Waller.*
Valentine Wauton.
Thomas Harriſon.
Edward Whalley.
Thomas Pride.
Iſaac Ewers.
Tho. Lord *Grey* of *Groby.*
Sir *John Danvers.*
Sir *Thomas Maleverer*, Bar.
Sir *Foon Bourchier*, Kt.
William Heveningham.
Henry Martin.
William Pureſoy.
John Berkſtead.
Matthew Tomlinſon.
John Blackiſtone.
Gilbert Millington.
Sir *William Conſtable*, Bar.
Edmund Ludlow.
John Hutchinſon.
Sir *Michael Liveſey*, Bar.
Robert Tichbourne.
Owen Roe.
Robert Lilbourne.
Adrian Scroope.
Richard Deane.
John Okey.
Auguſtine Garland.
George Fleetwood.
James Temple.
Daniel Blagrave.
John Browne.
John Huſon.
William Goffe.
Cornelius Holland.
John Carew.
John Jones.
Miles Corbet.
Francis Allen.
Peregrine Pelham.
Tho. Challoner.
John Moore.
William Say.
John Alured.
Henry Smith.
Humphrey Edwards.
Gregory Clement.
Thomas Wogan.
Sir *Gregory Norton*, Bar.
Edmund Harvey.
John Venn.
Thomas Scot.
Tho. Andrews, Ald. of *London.*
William Cawley.
Anthony Stapeley.
John Downes.
Thomas Horton.
Thomas Hamond.
John Liſle.
Nicholas Love.
Vincent Potter.
John Dixwell.
Simon Meyne.
Peter Temple.
Thomas Waite.

The Sentence agreed on, and ordered by this Court 26 Inſtant, to be ingroſſed, being accordingly ingroſſed, was read.

Reſolved, That the Sentence now read ſhall be the Sentence of this Court for the Condemnation of the King, which ſhall be read and publiſhed in *Weſtminſter-Hall* this Day.

The Court hereupon conſidered of certain Inſtructions for the Lord Preſident, to manage the Buſineſs of this Day in *Weſtminſter-Hall*; and *Ordered*,

That the Lord Preſident do manage what Diſcourſe ſhall happen between him and the King, according to his Diſcretion, with the Advice of his two Aſſiſtants; and that in caſe the King ſhall ſtill perſiſt in excepting againſt the Court's Juriſdiction, to let him know that the Court do ſtill affirm their Juriſdiction.

That, in caſe the King ſhall ſubmit to the Juriſdiction of the Court, and pray a Copy of the Charge, that then the Court do withdraw and adviſe.

That in caſe the King ſhall move any thing elſe worth the Courts Conſideration, that the Lord Preſident upon Advice of his ſaid Aſſiſtants, do give Order for the Court's withdrawing to adviſe.

That, in caſe the King ſhall not ſubmit to anſwer, and there happen no ſuch Cauſe of withdrawing, that then the Lord Preſident do command the Sentence to be read; but that the Lord Preſident ſhould hear the King ſay what he would before the Sentence, and not after.

And thereupon it being further moved, whether the Lord Preſident ſhould uſe any Diſcourſe or Speeches to the King, as in the caſe of other Priſoners to be condemned, was uſual before the publiſhing of the Sentence, received general Directions to do therein as he ſhould ſee Cauſe, and to preſs what he ſhould conceive moſt ſeaſonable and ſutable to the Occaſion. And it was further directed, That after the reading of the Sentence, the Lord Preſident ſhould declare, that the ſame was the Sentence, Judgment and Reſolution of the whole Court, and that the Commiſſioners ſhould thereupon ſignifie their Conſent by ſtanding up.

The Court forthwith Adjourned it ſelf to *Weſtminſter-Hall*.

---

27 Jan. 1648. *Poſt Merid.*

Weſtminſter-Hall.

The *Lord Preſident*, and the reſt of the Commiſſioners come together from the *Painted Chamber* to *Weſtminſter-Hall*, according to their Adjournment, and take their Seats there, as formerly; and three Proclamations being made for Attendance and Silence.

The Court is called.

The Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.
John Liſle.
William Say.
Oliver Cromwell.
Henry Ireton.
Sir *Hardreſs Waller*, Kt.
Sir *John Bourchier*, Kt.
William Heveningham.
Iſaac Pennington, Ald. of *Lon.*
Henry Martin.
William Purefoy.
John Berkſtead.
Matthew Tomlinſon.
John Blackiſtone.
Gilbert Millington.
Sir *William Conſtable*, Bar.
Edmond Ludlow.
John Hutchinſon.
Sir *Michael Liveſey*, Bar.
Robert Tichbourne.
Owen Roe.
Robert Lilbourne.
Adrian Scroope.
Richard Deane.
John Okey.
John Huſon.
William Goffe.
Cornelius Holland.
John Carew.
John Jones.
Miles Corbet.
Francis Allen.
Peregr. Pelham.
Daniel Blagrave.
Valentine Wauton.
Thomas Harriſon.
Edward Whalley.
Thomas Pride.
Iſaac Ewers.
Tho. Lord *Grey* of *Groby.*
Sir *John Danvers.*
Sir *Thomas Maleverer*, Bar.
John Moore.
John Alured.
Henry Smith.
Humphrey Edwards.
Gregory Clement.
Thomas Wogan.
Sir *Gregory Norton*, Bar.
Edmond Harvey.
John Venn.
Thomas Scot.
Tho. Andrews Ald. of *Lon.*
William Cawley.
Anthony Stapeley.
John Downes.
Thomas Horton.
Thomas Hammond.
Nicholas Love.
Vincent Potter.
Auguſtine Garland.
John Dixwell.
George Fleetwood.
Simon Meyne.
James Temple.
Peter Temple.
Thomas Waite.

67 Commiſſioners preſent.

The

The Priſoner is brought to the Bar, and Proclamation is again (as formerly) made for Silence; and the Captain of the Guard ordered to take into his Cuſtody all ſuch as ſhould diſturb the Court.

The Preſident ſtood up, with an Intention of Addreſs to the People, and not to the Priſoner, who had ſo often declined the Juriſdiction of the Court; which the Priſoner obſerving, moved he might be heard before Judgment given; whereof he received Aſſurance from the Court, and that he ſhould be heard after he had heard them firſt.

Whereupon the Court proceeded, and remembred the great Aſſembly then preſent, of what had formerly paſſed betwixt the Court and the Priſoner, the Charge againſt him in the Name of the People of *England*. exhibited to them, being a Court conſtituted by the Supream Authority of *England*, his refuſal three ſeveral Days and Times to own them as a Court, or to Anſwer to the Matter of his Charge, his thrice recorded Contumacy, and other his Contempts and Defaults in the precedent Courts; upon which, the Court then declared, that they might not be wanting to themſelves, or to the Truſt repoſed in them, and that no Man's Wilfulneſs ought to ſerve him to prevent Juſtice; and that they had therefore thought fit to take the Subſtance of what had paſſed, into their ſerious Conſideration, to wit, the Charge, and the Priſoner's Contumacy, and the Confeſſion which in Law doth ariſe upon that Contumacy, the Notoriety of the Fact charged, and other the Circumſtances material in the Cauſe; and upon the whole Matter, had reſolved and agreed upon a Sentence then ready to be pronounced againſt the Priſoner: But that in regard of his deſire to be further heard, they were ready to hear him as to any Thing material which he would offer to their Conſideration before the Sentence given, relating to the Defence of himſelf concerning the Matter charged; and did then ſignifie ſo much to the Priſoner; who made uſe of that leave given, only to proteſt his reſpects to the Peace of the Kingdom, and Liberty of the Subject; and to ſay, That the ſame made him at laſt to deſire, That having ſomewhat to ſay that concerned both, he might before the Sentence given, be heard in the *Painted-Chamber*, before the Lords and Commons; ſaying, it was fit to be heard, if it were Reaſon which he ſhould offer, whereof they were Judges: And preſſing that Point much, he was forthwith anſwered by the Court, and told,

That, that which he had moved was a declining of the Juriſdiction of the Court, whereof he had Caution frequently before given him.

That, it ſounded to further delay, of which he had been too much Guilty.

That, the Court being founded (as often had been ſaid) upon the Authority of the *Commons* of *England*, in whom reſted the Supream Juriſdiction, the Motion tended to ſet up another, or a co-ordinate Juriſdiction in Derogation of the Power whereby the Court ſate, and to the manifeſt delay of their Juſtice; in which regard, he was told,

told, they might forthwith proceed to Sentence; yet for his further Satisfaction of the entire Pleasure and Judgment of the Court, upon what he had then said, he was told, and accordingly it was declared, that the Court would withdraw half an Hour.

The Prisoner by command being withdrawn, the Court make their Recess into the Room called the *Court of Wards*, considered of the Prisoner's Motion, and gave the President Direction to declare their Dissent thereto, and to proceed to the Sentence.

The Court being again set, and the Prisoner returned, was according to their Direction, informed, That he had in effect received his Answer, before the Court withdrew, and that their Judgment was (as to his Motion) the same to him before declared; That the Court acted, and were Judges appointed by the Highest Authority, and that Judges were not to delay, no more than to deny Justice; That, they were good Words in the great old Charter of *England*, *Nulli negabimus nulli vendemus, nulli defferemus Justitiam vel Rectum.* That, their Duty called upon them to avoid further Delays, and to proceed to Judgment; which was their unanimous Resolution.

Unto which, the Prisoner replied, and insisted upon his former Desires, confessing a Delay, but that it was important for the Peace of the Kingdom, and therefore pressed again with much Earnestness to be heard before the Lords and Commons.

In Answer whereto, he was told by the Court, That they had fully before considered of his Proposal, and must give him the same Answer to his renewed Desires, and that they were ready to proceed to Sentence, if he had nothing more to say.

Whereunto he subjoined, *He had no more to say*, but desired that might be Entred which he had said.

Hereupon, after some Discourse used by the President, for vindicating the Parliament's Justice, explaining the Nature of the Crimes of which the Prisoner stood charged, and for which he was to be condemned; and by way of Exhortation to the Prisoner, to a serious Repentance for his high Transgressions against God and the People, and to prepare for his eternal Condition;

The Sentence formerly agreed upon and put down in Parchment, *O Yes*, being first made for Silence, was by the Court's Command, solemnly pronounced and given: The Tenor whereof followeth,

'WHereas the *Commons* of *England* assembled in Parliament, 'have by their late Act, Entituled, *An Act of the* Commons *of* England *assembled in Parliament, for erecting of an* High-Court of Justice, *for the Trying and Judging of* Charles Stuart *King of* England; Authorised and Constituted us an *High-Court of Justice*, for the Trying and Judging of the said *Charles Stuart*, for the Crimes and Treasons in the said Act mentioned; by Virtue whereof, the said *Charles Stuart* hath been three several Times convented before this *High-Court*, where, the first Day, being *Saturday*

'turday the Twentieth of *January* inſtant, in purſuance of the ſaid 'Act, a Charge of High-Treaſon and other High-Crimes, was in 'the Behalf of the People of *England*, exhibited againſt him, and 'read openly unto him, wherein he was charged, That he the ſaid '*Charles Stuart*, being admitted King of *England*, and therein truſt-'ed with a limited Power, to govern by and according to the Law 'of the Land, and not otherwiſe; and by his Truſt, Oath and Of-'fice, being obliged to uſe the Power committed to him, for the 'Good and Benefit of the People, and for the Preſervation of their 'Rights and Liberties; yet nevertheleſs, out of a wicked Deſign to 'erect and uphold in himſelf an unlimited and tyrannical Power, 'to Rule according to his Will, and to overthrow the Rights and 'Liberties of the People, and to take away and make void the 'Foundations thereof, and of all Redreſs and Remedy of Miſgo-'vernment, which by the Fundamental Conſtitutions of this King-'dom were reſerved on the People's Behalf, in the Right and Pow-'er of frequent and ſucceſſive Parliaments, or National Meetings 'in Council, he, the ſaid *Charles Stuart*, for Accompliſhment of 'ſuch his Deſigns, and for the protecting of himſelf and his Adhe-'rents in his and their wicked Practices, to the ſame End, hath 'Traiterouſly and Maliciouſly levied War againſt the preſent Par-'liament, and People therein repreſented, as with the Circumſtan-'ces of Time and Place, is in the ſaid Charge more particularly ſet 'forth; and that he hath thereby cauſed and procured many Thou-'ſands of the free People of this Nation to be ſlain; and by Diviſi-'ons, Parties and Inſurrections within this Land, by Invaſions 'from foreign Parts, endeavoured and procured by him, and by 'many other evil Ways and Means, he the ſaid *Charles Stuart* hath 'not only maintained and carried on the ſaid War both by Sea and 'Land, but alſo hath renewed or cauſed to be renewed the ſaid 'War againſt the Parliament and good People of this Nation in 'this preſent Year 1648, in ſeveral Counties and Places in this 'Kingdom in the Charge ſpecified; and that he hath for that Pur-'poſe given his Commiſſion to his Son the Prince, and others, 'whereby beſides Multitudes of other Perſons, many, ſuch as were 'by the Parliament intruſted and employed, for the ſafety of this 'Nation, being by him or his Agents corrupted, to the betraying 'of their Truſt, and revolting from the Parliament, have had En-'tertainment and Commiſſion for the continuing and renewing of 'the War and Hoſtility againſt the ſaid Parliament and People; 'and that by the ſaid cruel and unnatural War ſo levied, continu-'ed and renewed, much innocent Blood of the free People of this 'Nation hath been ſpilt, many Families undone, the Publick Trea-'ſure waſted, Trade obſtructed, and miſerably decayed, vaſt Ex-'pence and Damage to the Nation incurred, and many parts of the 'Land ſpoiled, ſome of them even to Deſolation; and that he ſtill 'continues his Commiſſion to his ſaid Son, and other Rebels and 'Revolters, both *Engliſh* and *Foreigners*, and to the Earl of *Ormond*, 'and to the *Iriſh Rebels* and Revolters aſſociated with him, from

'whom

'whom further Invaſions upon this Land are threatned by his 'Procurement, and on his Behalf; and that all the ſaid wicked 'Deſigns, Wars and evil Practices of him the ſaid *Charles Stuart* 'were ſtill carried on for the Advancement and Upholding of the 'perſonal Intereſt of Will, Power and pretended Prerogative to 'himſelf and his Family, againſt the Publick Intereſt, Common-'Right, Liberty, Juſtice and Peace of the People of this Nation; 'and that he thereby hath been and is the Occaſioner, Author and 'Continuer of the ſaid unnatural, cruel and bloody Wars, and 'and therein guilty of all the Treaſons, Murthers, Rapines, Burn-'ings, Spoils, Deſolations, Damage, and Miſchief to this Nation, 'acted and committed in the ſaid Wars, or occaſioned thereby: 'Whereupon, the Proceedings and Judgment of this Court were 'prayed againſt him, as a Tyrant, Traytor and Murtherer, and 'publick Enemy to the Common-wealth, as by the ſaid Charge 'more fully appeareth: To which Charge being read unto him as 'aforeſaid, he the ſaid *Charles Stuart* was required to give his An-'ſwer; but he refuſed ſo to do, And upon *Monday*, the twenty 'ſecond Day of *January* Inſtant, being again brought before this 'Court, and there required to anſwer directly to the ſaid Charge, 'he ſtill refuſed ſo to do; whereupon his Default and Contumacy 'was entred: And the next Day, being the third Time brought 'before the Court, Judgment was then prayed againſt him on the 'behalf of the People of *England*, for his Contumacy, and for the 'Matters contained againſt him in the ſaid Charge, as taking the 'ſame for confeſt, in regard of his refuſing to anſwer thereto: Yet 'notwithſtanding, this Court (not willing to take Advantage of 'his Contempt) did once more require him to Anſwer to the ſaid 'Charge, but he again refuſed ſo to do; Upon which his ſeveral 'Defaults, this Court might juſtly have proceeded to Judgment a-'againſt him, both for his Contumacy, and the Matters of the 'Charge, taking the ſame for confeſt, as aforeſaid.

'Yet nevertheleſs, this Court for their own clearer Information, 'and further Satisfaction, have thought fit to examine Witneſſes, 'upon Oath, and take Notice of other Evidences touching the 'Matters contained in the ſaid Charge, which accordingly they 'have done.

'Now therefore upon ſerious and mature Deliberation of the 'Premiſes, and Conſideration had of the Notoriety of the Matters 'of Fact charged upon him as aforeſaid, this Court is in Judgment 'and Conſcience ſatisfied, that he the ſaid *Charles Stuart* is Guilty 'of Levying War againſt the ſaid Parliament, and People, and 'maintaining and continuing the ſame; for which in the ſaid 'Charge he ſtands accuſed, and by the general Courſe of his Go-'vernment, Councels and Practices before and ſince this Parlia-'ment began (which have been, and are notorious and publick,

'and the Effects whereof remain abundantly upon Record) this Court 'is fully ſatisfied in their Judgments and Conſciences, that he hath 'been and is guilty of the wicked Deſigns and Endeavours in the 'ſaid Charge ſet forth, and that the ſaid War hath been levied, 'maintained and continued by him as aforeſaid, in Proſecution 'and for Accompliſhment of the ſaid Deſigns; and that he hath 'been and is the Occaſioner, Author and Continuer of the ſaid 'unnatural, cruel and bloody Wars, and therein guilty of High-'Treaſon, and of the Murthers, Rapines, Burnings, Spoils, Deſo-'lations, Damage and Miſchief to this Nation, acted and com-'mitted in the ſaid War, and occaſioned thereby. For all which 'Treaſons and Crimes, this Court doth adjudge, That he the ſaid '*Charles Stuart*, as a Tyrant, Traytor, Murtherer and Publick 'Enemy to the good People of this Nation, ſhall be put to Death, 'by the ſevering of his Head from his Body.

This Sentence being read, the *Preſident* ſpake as followeth;

The Sentence now Read and Publiſhed, is the Act, Sentence Judgment and Reſolution of the whole Court.

Whereupon the whole Court ſtood up and owned it

The Priſoner being withdrawn, the Court Adjourned it ſelf forthwith into the *Painted-Chamber.*

The Court being ſate in the *Painted-Chamber*, according to Adjournment from *Weſtminſter-Hall* aforeſaid.

Painted-

Painted-Chamber.

Commissioners present.

John Bradshaw, Serjeant at Law, *Lord President.*

John Liste.	*Robert Tichbourne.*
William Say.	*Nicholas Love.*
Oliver Cromwell.	*Owen Roe.*
Henry Ireton.	*Robert Lilbourne.*
Sir *Hardress Waller.*	*Adrian Scroope.*
Thomas Waite.	*Richard Deane.*
Thomas Harrison.	*John Okey.*
Edward Whalley.	*Simon Meyne.*
Thomas Pride.	*John Huson.*
Isaac Ewers.	*William Goffe.*
Tho. Lord *Grey* of *Groby.*	*Cornelius Holland.*
Sir *John Danvers.*	*John Carew.*
Sir *Thomas Maleverer*, Bar.	*John Jones.*
Sir *John Bourchier*, Kt.	*Miles Corbet.*
William Heveningham.	*Francis Allen.*
Isaac Pennington Ald. of *Lon.*	*Peregrine Pelham.*
John Downes.	*Tho. Challoner.*
Henry Martin.	*John Moore.*
John Berkstead.	*John Alured.*
Matthew Tomlinson.	*Henry Smith.*
Gilbert Millington.	*Humphrey Edwards.*
John Blackistone.	*Gregory Clement.*
Sir *William Constable*, Bar.	*Thomas Wogan.*
John Hutchinson.	Sir *Gregory Norton*, Bar.
Sir *Michael Livesey*, Bar.	*John Venn.*
John Dixwell.	*Thomas Scot.*
James Temple.	*Edmund Harvey.*
Tho. Andrews, Ald. of *Lon.*	*William Cawley.*
Anthony Stapeley.	*Thomas Horton.* 64 Commissioners present.
The. Hamond.	*Augustine Garland.*
Peter Temple.	*Daniel Blagrave.*
Edmond Ludlow.	

Sir *Hardress Waller*, Col. *Harrison*, Commissary General *Ireton*, Col. *Deane*, and Col. *Okey*, are appointed to consider of the Time and Place for the Execution of the Sentence against the King.

And then the Court Adjourned it self till *Monday* Morning at Eight of the Clock to this Place.

The more full Account of this Days Action, take as follows.

The King being come in, in his wonted Posture, with his Hat on, some of the Soldiers began to call for *Justice. Justice*, and *Execution*: But Silence being Commanded, *His Majesty began.* I de-

I deſire a Word, to be heard a little; and I hope I ſhall give no occaſion of Interruption.

Bradſhaw ſawcily Anſwered.

You may Anſwer in your Time, hear the Court firſt.

His Majeſty patiently Replied,

If it pleaſe you, *Sir*, I deſire to be heard; and I ſhall not give any Occaſion of Interruption; and it is only in a Word, *A ſudden Judgment* ——

Bradſhaw. Sir, you ſhall be heard in due Time, but you are to hear the Court firſt.

King. Sir, I deſire it; it will be in order to what I believe the Court will ſay; and therefore, *Sir*, —— A haſty Judgment is not ſo ſoon recalled.

Bradſhaw. Sir, you ſhall be heard before the Judgment be given, and in the mean Time you may forbear.

King. Well, Sir; ſhall I be heard before the Judgment be given?

Bradſhaw, Gentlemen, It is well known to all or moſt of you here preſent, That the Priſoner at the Bar hath been ſeveral Times convented and brought before this Court, to make Anſwer to a Charge of Treaſon and other High-Crimes exhibited againſt him in the Name of the People of *England**: To which Charge being required to Anſwer, he hath been ſo far from obeying the Commands of the Court, by ſubmitting to their Juſtice, as he began to take upon him to offer Reaſoning and Debate unto the Authority of the Court, and to the Higheſt-Court, that appointed them to Try and Judge him: But being over-ruled in that, and required to make his Anſwer, he was ſtill pleaſed to continue Contumacious, and to refuſe to ſubmit to anſwer.

Hereupon, the Court, that they might not be wanting to themſelves, nor the Truſt repoſed in them, nor that any Man's Wilfulneſs prevent Juſtice, they have thought fit to take the Matter into their Conſideration; they have conſidered of the Charge, they have conſidered of the Contumacy, and of that Confeſſion which in Law doth ariſe upon that Contumacy; they have likewiſe conſidered of the Notoriety of the Fact charged upon this Priſoner: And upon the whole Matter, they are reſolved, and are agreed upon a Sentence to be pronounced againſt this Priſoner. But in reſpect he doth deſire to be heard before the Sentence be read and pronounced, the Court hath reſolved that they will hear him.

Yet, *Sir*, Thus much I muſt tell you before hand, which you have been minded of at other Courts, That if that which you have to ſay, be to offer any Debate concerning the Juriſdiction, you are not to be heard in it. You have offered it formerly, and you have ſtruck at the Root, that is, the Power and Supream Authority of the

Commons

---

* *Here a Lady interpos'd ſaying*, not half the People; *but was ſilenced with Threats.*

Commons of *England*; which this Court will not admit a Debate of, and which indeed it is an irrational Thing in them to do, being a Court that acts upon Authority derived from them. But, Sir, if you have any Thing to ſay in Defence of your ſelf concerning the Matter charged, the Court hath given me in command to let you know they will hear you.

King. Since I ſee that that you will not hear any Thing of Debate concerning that which I confeſs I thought moſt material for the Peace of the Kingdom, and for the Liberty of the Subject, I ſhall wave it, I ſhall ſpeak nothing to it: But only I muſt tell you, That this many-a-day, all Things have been taken away from me, but that that I call dearer to me than my Life, which is my Conſcience, and my Honour: And if I had a reſpect to my Life, more than the Peace of the Kingdom, and the Liberty of the Subject, certainly I ſhould have made a particular Defence for my ſelf; for by that at leaſtwiſe I might have delayed an ugly Sentence, which I believe will paſs upon me. Therefore certainly, *Sir*, as a Man that hath ſome Underſtanding, ſome Knowledge of the World, if that my true Zeal to my Country, had not overborn the care that I have for my own Preſervation, I ſhould have gone another way to work than that I have done. Now, *Sir*, I conceive that an haſty Sentence once paſt, may ſooner be repented of, than recalled: And truly, the ſelf ſame Deſire that I have for the Peace of the Kingdom, and the Liberty of the Subject, more than my own particular Ends, makes me now at laſt deſire, *That I having ſomething to ſay that concerns both, before Sentence be given, that I may be heard in the* Painted-Chamber *before the Lords and Commons.* This Delay cannot be prejudicial unto you, whatſoever I ſay. If that I ſay no Reaſon, thoſe that hear me muſt be Judges, I cannot be Judge of that that I have. If it be Reaſon, and really for the Welfare of the Kingdom, and the Liberty of the Subject, I am ſure on it, it is very well worth the hearing: Therefore I do conjure you, as you love that that you pretend, (I hope it is real) the Liberty of the Subject, the Peace of the Kingdom, that you will grant me this Hearing before any Sentence be paſt. I only deſire this, That you will take this into your Conſideration; it may be you have not heard of it before hand. If you will, I will retire, and you may think of it: But if I cannot get this Liberty, I do proteſt, That theſe fair Shews of Liberty and Peace are pure Shews, and that you will not hear your King.

Bradſhaw. Sir, You have now ſpoken.

King. Yes, Sir.

Bradſhaw. And this that you have ſaid, is a further declining of the Juriſdiction of this Court, which was the thing wherein you were limited before.

King. Pray excuſe me, *Sir*, for my Interruption, becauſe you miſtake me. It is not a declining of it; you do judge me before you hear me ſpeak. I ſay it will not. I do not decline it; though I cannot acknowledge the Juriſdiction of the Court, yet Sir, in this,

give

give me leave to ſay, I would do it, though I did not acknowledge it; in this I do proteſt, it is not the declining of it, ſince, I ſay, if that I do ſay any Thing but That that is for the Peace of the Kingdom, and the Liberty of the Subject, then the ſhame is mine. Now I deſire that you will take this into your Conſideration: If you will, I will withdraw.

Bradſhaw. Sir, This is not altogether new that you have moved to us, not altogether new to us, though the firſt Time in Perſon you have offered it to the Court. *Sir*, you ſay you do not decline the Juriſdiction of the Court.

King. Not in this that I have ſaid.

Bradſhaw. I underſtand you well, *Sir*; but nevertheleſs, that which you have offered, ſeems to be contrary to that Saying of yours; for the Court are ready to give a Sentence. It is not as you ſay, *That they will not hear their King*; for they have been ready to hear you; they have patiently waited your pleaſure for three Courts together, to hear what you would ſay to the People's Charge againſt you: To which you have not vouchſafed to give any Anſwer at all. *Sir*, this tends to a further Delay. Truly, *Sir*, ſuch Delays as theſe, neither may the Kingdom nor Juſtice well bear. You have had three ſeveral Days to have offered in this kind what you would have pleaſed. This Court is founded upon that Authority of the *Commons* of *England*, in whom reſts the Supream Juriſdiction. That which you now tender, is to have another Juriſdiction, and a co-ordinate Juriſdiction. I know very well you expreſs your ſelf, *Sir*, That notwithſtanding that you would offer to the Lords and Commons in the *Painted-Chamber*, yet nevertheleſs you would proceed on here; I did hear you ſay ſo. But, Sir, that you would offer there, whatever it is, muſt needs be in Delay of the Juſtice here; ſo as if this Court be reſolved and prepared for the Sentence, this that you offer they are not bound to grant. But, *Sir*, According to that you ſeem to deſire, and becauſe you ſhall know the further Pleaſure of the Court upon that which you have moved, the Court will withdraw for a Time.

This he did to prevent the Diſturbance of their Scene by one of their own Members, Col. *John Downes*, who could not ſtifle the Reluctance of his Conſcience, when he ſaw his Majeſty preſs ſo earneſtly for a ſhort Hearing; but declaring himſelf unſatisfied, forced them to yield to the King's Requeſt.

King. Shall I withdraw?

Bradſhaw. Sir you ſhall know the Pleaſure of the Court preſently.

The Court withdraws for Half an Hour into the Court of Wards.

Serjeant at Arms. The Court gives Command that the Priſoner be withdrawn; and they gave Order for his Return again.

Then

Then withdrawing into the Chamber of the *Court of Wards*, their Buſineſs was not to conſider of His Majeſty's Deſire, but to chide *Dumnes*, and with Reproaches and Threats to harden him to go through the remainder of their Villany with them.

Which done, they return; and being ſate, *Bradſhaw* commanded, *Serjeant at Arms*, Send for your Priſoner.

Who being come, Bradſhaw *proceeded.*

Sir, You were pleaſed to make a Motion here to the Court, to offer a Deſire of yours touching the propounding of ſomewhat to the Lords and Commons in the *Painted-Chamber*, for the Peace of the Kingdom. *Sir*, You did in effect receive an Anſwer before the Court Adjourned: Truly, *Sir*, their withdrawing and Adjournment was *pro forma tantum*; for it did not ſeem to them that there was any difficulty in the Thing. They have conſidered of what you have moved, and have conſidered of their own Authority, which is founded, as hath been often ſaid, upon the Supream Authority of the *Commons* of *England* Aſſembled in *Parliament*: The Court acts accordingly to their Commiſſion. *Sir*, The Return I have to you from the Court is this, That they have been too much delayed by you already, and this that you now offer, hath occaſioned ſome little further Delay; and they are Judges appointed by the higheſt Authority, and Judges are no more to delay. than they are to deny Juſtice: They are good Words in the *Great Old Charter of* England, *Nulli negabimus, nulli vendemus, nulli deferemus Juſtitiam*: There muſt be no Delay. But the Truth is, *Sir*, and ſo every Man here obſerves it, that you have much delayed them in your Contempt and Default, for which they might long ſince have proceeded to Judgment againſt you; and notwithſtanding what you have offered, they are reſolved to proceed to Sentence and to Judgment, and that is their unanimous Reſolution.

King. Sir, I know it is in vain for me to diſpute; I am no Septick for to deny the Power that you have; I know that you have Power enough. *Sir*, I muſt confeſs, I think it would have been for the Kingdom's Peace, if you would have taken the Pains to have ſhewn the Lawfulneſs of your Power.

For this Delay that I have deſired, I confeſs it is a Delay, but it is a Delay very important for the Peace of the Kingdom: For it is not my Perſon that I look at alone, it is the Kingdom's Welfare, and the Kingdom's Peace.

It is an old Sentence, *That we ſhould think on long before we reſolve of great Matters ſuddenly.* Therefore, *Sir*, I do ſay again, that I do put at your Doors all the Inconveniency of a haſty Sentence. I confeſs I have been here now, I think, this Week, this Day eight Days was the Day I came here firſt; but a little Delay of a Day or two further, may give Peace, whereas a haſty Judgment may bring on that trouble and perpetual Inconveniency to the Kingdom, that the Child that is unborn may repent it. And therefore again, out of the Duty I owe to God and to my Country, I do deſire that I

may

may be heard by the Lords and Commons in the *Painted-Chamber*, or any other Chamber that you will appoint me.

Bradſhaw. You have been already anſwered to what you even now moved, being the ſame you moved before, ſince the Reſolution and the Judgment of the Court in it; and the Court now requires to know whether you have any more to ſay for your ſelf than you have ſaid, before they proceed to Sentence.

King. I ſay this, *Sir*, That if you hear me, if you will give me but this Delay, I doubt not but I ſhall give ſome Satisfaction to you all here, and to my People after that; and therefore I do require you, as you will anſwer it at the dreadful Day of Judgment, that you will conſider it once again.

Bradſhaw. Sir, I have received Direction from the Court.

King. Well, Sir.

Bradſhaw. If this muſt be re-inforced, or any Thing of this Nature, your Anſwer muſt be the ſame; and they will proceed to Sentence, if you have nothing more to ſay.

King. I have nothing more to ſay, but I ſhall deſire that this may be entred what I have ſaid.

Bradſhaw. The Court then, Sir, hath ſomething to ſay unto you which although I know it will be very unacceptable, yet notwithſtanding they are willing and are reſolved to diſcharge their Duty.

Then *Bradſhaw* went on in a long Harangue, endeavouring to juſtifie their Proceedings, miſapplying Law and Hiſtory, and raking up and wreſting whatſoever he thought fit for his Purpoſe, alledging the Examples of former Treaſons and Rebellions, both at home and abroad, as authentick Proofs; and concluding, that the King was a *Tyrant*, *Traytor*, *Murtherer*, and *Publick Enemy* to the *Commonwealth* of *England*.

His Majeſty having with his wonted Patience heard all theſe Reproaches, anſwered,

I would deſire only one Word before you give Sentence, and that is, That you would hear me concerning thoſe great Imputations that you have laid to my Charge.

Bradſhaw. Sir, you muſt give me now leave to go on; for I am not far from your Sentence, and your Time is now paſt.

King. But I ſhall deſire you will hear me a few Words to you; for, truly, whatever Sentence you will put upon me, in reſpect of thoſe heavy Imputations that I ſee by your Speech you have put upon me. *Sir*, it is very true that ——

Bradſhaw. Sir, I muſt put you in Mind: Truly, *Sir*, I would not willingly, at this Time eſpecially, interrupt you in any Thing you have to ſay that is proper for us to admit of: But, *Sir*, you have not owned us as a Court, and you look upon us as a ſort of People met together, and we know what Language we receive from your Party.

King.

King. I know nothing of that.

Bradshaw. You disavow us as a Court, and therefore for you to addresse your self to us, not to acknowledge us as a Court to judge of what you say, it is not to be permitted. And the Truth is, all along from the first Time, you were pleased to disavow and disown us, the Court needed not to have heard you one Word; for unless they be acknowledged a Court, and engaged, it is not proper for you to speak. *Sir*, we have given you too much Liberty already, and admitted of too much Delay and we may not admit of any further. Were it proper for us to do, we should hear you freely, and we should not have declined to have heard you at large, what you could have said or proved on your Behalf, whether for totally excusing, or for in part excusing those great and heinous Charges that in whole or in part are laid upon you. But, *Sir*, I shall trouble you no longer; your Sins are of so large a Dimension, that if you do but seriously think of them, they will drive you to a sad Consideration, and they may improve in you a sad and serious Repentance. And that the Court doth heartily wish, that you may be so penitent for what you have done amiss, that God may have Mercy at least-wise upon your better part. Truly, *Sir*, for the other, it is our Parts and Duties to do that, that the Law prescribes. We are not here *Jus dare*, but *Jus dicere*; We cannot be unmindful of what the Scripture tells us; *For to acquit the Guilty is of equal Abomination as to condemn the Innocent.* We may not acquit the Guilty. What Sentence the Law affirms to a *Traytor*, *Tyrant*, *a Murtherer*, and *a Publick Enemy* to the *Country*, that Sentence you are now to hear read unto you; and that is the Sentence of the Court.

Make an *O Yes*, and command Silence while the *Sentence* is read.

Which done, their Clerk, *Broughton*, read the Sentence, drawn up in Parchment.

Whereas the Commons *of* England *in Parliament, had appointed them an High-Court of Justice for the Trial of* Charles Stuart *King of* England, *before whom he had been three times convented, and at the first Time a Charge of* High-Treason, *and other* Crimes *and* Misdemeanors, *was read in the behalf of the Kingdom of* England,

[*Here the Charge was repeated.*]

Which Charge being read unto him as aforesaid, he the said Charles Stuart, *was required to give his Answer; but he refused so to do:*

[Expressing the several Passages of his refusing in the former Proceedings.]

For all which Treasons *and* Crimes, *this Court doth adjudge, That he the said* Charles Stuart, *as a* Tyrant, Traytor, Murderer, *and a* Publick Enemy, *shall be put to Death, by the severing of his Head from his Body.*

Which being read, *Bradſhaw* added.

The Sentence now Read and Publiſhed, is the Act, Sentence, Judgment and Reſolution of the whole Court.

To which they all expreſſed their Aſſent by ſtanding up, as was before agreed and Ordered.

His *Majeſty* then ſaid,

Will you hear me a Word, Sir?

Bradſhaw. Sir, You are not to be heard after the *Sentence*.

King. *No*, Sir?

Bradſhaw. No, *Sir*; by your Favour, *Sir*.

Guard, Withdraw your Priſoner.

King. *I may ſpeak after Sentence, by your favour*, Sir, *I may ſpeak after* Sentence, *ever*.

By your favour, hold: the Sentence, *Sir*, —— *I ſay*, Sir, *I do* ——

I am not ſuffered to ſpeak; expect what Juſtice other People will have.

His Majeſty being taken away by the Guard, as he paſſed down the Stairs, the inſolent Soldiers ſcoffed at him, caſting the ſmoke of their Tobacco (a Thing very diſtaſtful unto him) in his Face, and throwing their Pipes in his way; and one more inſolent than the reſt, ſpitting in his Face, his Majeſty, according to his wonted Heroick Patience, took no more Notice of ſo ſtrange and barbarous an Indignity, than to wipe it off with his Handkerchief.

As he paſſed along, hearing the Rabble of Soldiers, crying out, *Juſtice, Juſtice*; he ſaid,

Poor Souls, for a Piece of Money they would do ſo for their Commanders.

Being brought firſt to Sir *Robert Cotton*'s, and thence to *Whitehall*, the Soldiers continued their brutiſh Carriage towards him, abuſing all that ſeemed to ſhew any reſpect, or even Pity to him; not ſuffering him to reſt in his Chamber, but thruſting in, and ſmoaking their Tobacco, and diſturbing his Privacy.

But through all theſe Tryals (unuſual to Princes) he paſſed with ſuch a calm and even Temper, that he let fall nothing unbeſeeming his former Majeſty and Magnanimity.

In the Evening, a Member of the Army acquainted the Committee with his Majeſty's Deſire, *That ſeeing they had paſſed a Sentence of Death upon him, and his Time might be nigh, he might ſee his Children*; *and Doctor* Juxon *Biſhop of* London, *might be admitted to aſſiſt him in his private Devotions, and receiving the Sacrament.*

Both which at length were granted.

And the next Day, being *Sunday*, he was attended by the *Guard* to St. *James*'s; where the Biſhop Preached before him upon theſe Words, *In the Day when God ſhall judge the Secrets of all Men by Jeſus Chriſt according to my Goſpel.*

His

HIS MAJESTY'S

SPEECH

TO THE

Lady *ELIZABETH*,

AND

HENRY Duke of *Glouceſter*,

January 29. $164\frac{8}{9}$.

Of His Majeſty's Diſcourſe to His Children, there being ſeveral Relations, it is thought fit to repreſent the ſeveral Copies.

I.

A true Relation of the King's Speech to the Lady Elizabeth, *and the Duke of* Glouceſter, *the Day before his Death.*

HIs Children being come to meet him, he firſt gave his Bleſſing to the Lady *Elizabeth*; and bade her remember to tell her Brother *James*, whenever ſhe ſhould ſee him, that it was his Father's laſt Deſire, that he ſhould no more look upon *Charles* as his Eldeſt Brother only, but to be obedient unto him as his Sovereign: And that they ſhould love one another, and forgive their Father's Enemies. Then ſaid the King to her, *Sweet-Heart, You will forget this.* *No*, ſaid ſhe, *I ſhall never forget it whilſt I live*; and pouring forth abundance of Tears, promiſed him to write down the Particulars.

Then the King taking the Duke of *Glouceſter* upon his Knee, ſaid, *Sweet-Heart, Now they will cut off thy Father's Head* (upon which Words. they Child looked very ſtedfaſtly upon him) *Mark*, Child, *what I ſay; they will cut off my Head. and perhaps make thee a King: But Mark what I ſay, you muſt not be a King, ſo long as your Brother* Charles *and* James *do live; for they will cut off your Brothers Heads (when they can catch them) and cut off thy Head too at laſt; and therefore I charge you, do not be made a King by them.* At which, the Child ſighing, ſaid, *I will be torn in Pieces firſt.* Which falling ſo unexpectedly from one ſo young, it made the King rejoice exceedingly.

II.

Another Relation from the Lady Elizabeth's *own Hand.*

WHat the King ſaid to me the 29*th* of *January* 1648. Being the laſt Time I had the Happineſs to ſee him, he told me, he was glad I was come; and although he had not Time to ſay much, yet ſomewhat he had to ſay to me, which he had not to another, or leave in Writing, becauſe he feared their Cruelty was ſuch, as that they would not have permitted him to write to me. He wiſhed me not to grieve and torment my ſelf for him, for that would be a glorious Death that he ſhould die, it being for the Laws and Liberties of this Land, and for maintaining the true Proteſtant Religion. He bid me read Biſhop *Andrews*'s Sermons, *Hooker*'s Eccleſiaſtical Polity, and Biſhop *Laud*'s Book againſt *Fiſher*; which would ground me againſt *Popery*. He told me, he had forgiven all his Enemies, and hoped God would forgive them alſo; and commanded us, and all the reſt of my Brother's and Siſters to forgive them. He bid me tell my Mother, that his Thoughts had never ſtrayed from her, and that his Love ſhould be the ſame to the laſt. Withal he commanded me and my Brother to be obedient to her, and bid me ſend his Bleſſing to the reſt of my Brothers and Siſters, with Commendation to all his Friends.

So after he had given me his Bleſſing, I took my Leave.

Further, he commanded us all to forgive thoſe People, but never to truſt them, for they had been moſt falſe to him, and to thoſe that gave them Power; and he feared alſo to their own Souls: And deſired me not to grieve for him, for he ſhould die a *Martyr*; and that he doubted not but the Lord would ſettle his Throne upon his Son, and that we ſhould be all happier than we could have expected to have been if he had lived. With many other Things, which at preſent I cannot rember.

III. *Another*

III.

Another Relation from the Lady Elizabeth.

THe King ſaid to the Duke of *Glouceſter*, That he would ſay nothing to him but what was for the good of his Soul. He told him, that he heard the Army intended to make him King; but it was a Thing not for him to take upon him, if he regarded the Welfare of his Soul, for he had two Brothers before him; and therefore commanded him upon his Bleſſing never to accept of it, unleſs it redounded lawfully upon him; and commanded him to fear the Lord, and he would provide for him.

Painted-Chamber.

Lunæ, 29 Jan. 1648.

Three Proclamations made.

The Court is called.

The Commiſſioners Preſent.

John Bradſhaw, Serjeant at Law, *Lord Preſident* of this Court.

Oliver Cromwell.
Henry Ireton.
Sir *Hardreſs Waller*, Kt.
Valentine Wauton.
Tho. Harriſon.
Edward Whalley.
Thomas Pride.
Iſaac Ewers.
Richard Ingoldsby.
Thomas Lord *Grey* of *Groby.*
Sir *John Bourchier*, Kt.
Henry Martin.
William Purefoy.
John Berkſtead.
John Blackiſtone.
Gilbert Millington.
Sir *William Conſtable*, Bar.
Edmond Ludlow.
John Hutchinſon.
Sir *Michael Liveſey*, Bar.
James Temple.
John Dixwell.
Peter Temple.
Robert Tichbourne.
Owen Roe.
Adrian Scroope.
Richard Deane.
John Okey.
John Huſon.
William Goffe.
John Jones.
Francis Allen.
Peregrine Pelham.
John Anlaby.
William Say.
Henry Smith.
Humphrey Edwards.
John Venn.
Thomas Scot.
William Cawley.
Thomas Horton.
John Liſle.
Nicholas Love.
Vincent Potter.
Auguſtine Garland.
Simon Meyne.
Daniel Blagrave.

48 Commiſſioners preſent.

Upon

Upon Report made from the Committee for conſidering the Time and Place of the Executing of the Judgment againſt the King, that the ſaid Committee have Reſolved, That the open Street before *White-Hall*, is a fit Place, and that the ſaid Committee conceive it fit that the King be there Executed the Morrow, the King having already Notice thereof; the Court approved thereof, and ordered a Warrant to be drawn for that Purpoſe; which ſaid Warrant was accordingly drawn and agreed unto, and ordered to be Engroſſed; which was done, and Signed and Sealed accordingly as followeth, *viz.*

At the HIGH-COURT of JUSTICE *for the Trying and Judging of* CHARLES STUART, *King of* England, Jan. 29. 1648.

WHEREAS *Charles Stuart*, King of *England*, is and ſtandeth Convicted, Attainted and Condemned of High-Treaſon, and other High-Crimes, and Sentence upon *Saturday* laſt was Pronounced againſt him by this Court, to be put to Death, by the ſevering of his Head from his Body, of which Sentence, Execution yet remaineth to be done: Theſe are therefore to Will and Require you to ſee the ſaid Sentence Executed in the open Street before *White-Hall*, upon the Morrow, being the Thirtieth Day of this inſtant Month of *January*, between the Hours of Ten in the Morning, and Five in the Afternoon of the ſame Day, with full Effect. And for ſo doing, this ſhall be your ſufficient Warrant. And theſe are to require all Officers, Soldiers and others, the good People of this Nation of *England*, to be aſſiſting unto you in this Service.

Given under our Hands and Seals,

To Col. *Francis Hacker*, Col. *Huncks*, *and* Lieutenant Col. *Phray*, *and to every of them.*

Sealed

Sealed and Subſcribed by

John Bradſhaw.
Thomas Grey.
Oliver Cromwell.
Edward Whalley.
Michael Liveſey.
John Okey.
John Danvers.
John Bourchier.
Henry Ireton.
Thomas Maleverer.
John Blackiſtone.
John Hutchinſon.
William Goffe.
Thomas Pride.
Peter Temple.
Tho. Harriſon.
John Huſon.
Henry Smith.
Peregr. Pelham.
Simon Meyne.
Thomas Horton.
John Jones.
John Moore.
Hardreſs Waller.
Gilbert Millington.
George Fleetwood.
John Alured.
Robert Lilbourne.
William Say.
Anthony Stapeley.
Richard Deane.
Robert Tichbourne.
Humphrey Edwards.
Daniel Blagrave.
Owen Roe.
William Pureſoy.
Adrian Scroope.
James Temple.
Auguſtine Garland.
Edmond Ludlow.
Henry Martin.
Vincent Potter.
William Conſtable.
Richard Ingoldsby.
William Cawley.
John Berkſtead.
Iſaac Ewers.
John Dixwell.
Valentine Wauton.
Gregory Norton.
Tho. Challoner.
Thomas Wogan.
John Venn.
Gregory Clement.
John Downes.
Thomas Waite.
Thomas Scot.
John Carew.
Miles Corbet.

It was Ordered, That the Officers of the Ordnance within the Tower of *London*, or any other Officer or Officers of the Store within the ſaid Tower, in whoſe Hands or Cuſtody the bright Execution-Axe for the Executing Malefactors, is, do forthwith deliver unto *Edward Dendy*, Eſq; *Serjeant At Arms*, attending this Court, or his Deputy or Deputies, *the ſaid Axe*; and for their or either of of their ſo doing, this ſhall be their Warrant.

Directed to Col, John White, *or any Other Officer within the Tower of* London, *whom it concerneth.*

The Court Adjourned till to Morrow Morning at Nine of the Clock.

Mercurii,

* *Mercurii*, 30. Jan. 1648. * *Martis.*

Painted-Chamber.

Commiſſioners meet.

Ordered, That Mr. *Marſhal*, Mr. *Nye*, Mr. *Caryl*, Mr. *Salway*, and Mr. *Dell* be deſired to attend the King, to adminiſter to him thoſe Spiritual Helps as ſhould be ſuitable to his preſent Condition. And Lieutenant Colonel *Goffe* is deſired forthwith to repair unto them for that purpoſe.

Who did ſo, but after informed the Court, That the King being acquainted therewith, refuſed to confer with them; expreſſing, that he would not be troubled with them.

Ordered, That the Scaffold upon which the King is to be Executed, be covered with Black.

The Warrant for Executing the King, being accordingly delivered to thoſe Parties to whom the ſame was directed. Execution was done upon him, according to the Tenor of the ſaid Warrant, about two of the Clock in the Afternoon of the ſaid Thirtieth of *January*.

Mr. Phelpes *makes a ſhort Work of this Part of the Narrative, as his* Infamous Maſters *had done of their* Pretended Tryal *of this* Illuſtrious Innocent; *and therefore to ſupply that Defect, take the following Account of the Concluſion of this* Diſmal Tragedy.

Tueſday, the Thirtieth of *January*, the fatal Day, being come, the Commiſſioners met, and ordered four or five of their Miniſters to attend upon the King at St. *James's*, where they then kept him; but his Majeſty well knowing what miſerable Comforters they were like to prove, refuſed to have Conference with them.

That Morning, before his Majeſty was brought thence, the Biſhop of *London* (who with much ado was permitted to wait upon him a Day or two before, and to aſſiſt him in that ſaid Inſtant) read Divine Service in his Preſence; in which the xxvii. of St. *Matthew*, (the Hiſtory of our Saviour's Crucifixion) proved the ſecond Leſſon. The King ſuppoſing it to have been ſelected on purpoſe, thank'd him afterwards for his ſeaſonable Choice: But the Biſhop modeſty declining that, undue Thanks, told him that it was the Leſſon appointed by the *Calender* for that Day, he alſo then and there received of the Biſhop the *Holy Sacrament*, and performed all his Devotions in Preparation to his Paſſion.

Which

Which ended, about Ten of the Clock his Majeſty was brought from St. *James*'s to *White-Hall*, by a Regiment of Foot, with Colours flying and Drums beating, part marching before, and part behind, with a private Guard of Partiſans about him, the Biſhop on the one Hand, and Colonel *Tomlinſon* (who had the Charge of him) on the other, both bare-headed, his Majeſty walking very faſt, and bidding them go faſter, added,

That, *he now went before them to ſtrive for an Heavenly Crown, with leſs ſolicitude, than he had often encouraged his Soldiers to fight for an Earthly Diadem.*

Being come to the End of the Park, he went up the Stairs leading to the *Long-Gallery* in *WhiteHall*, and ſo into the *Cabinet-Chamber*, where he us'd formerly to lodge. There finding an unexpected Delay in being brought upon the Scaffold, which they had not as then fitted, he paſt the Time, at convenient Diſtances, in Prayer.

About Twelve of the Clock, his Majeſty refuſing to Dine, only eat a Bit of Bread, and drank a Glaſs of Claret; and about an Hour after, Col. *Hacker*, with other Officers and Soldiers, brought him, with the Biſhop and Col. *Tomlinſon*, through the *Banqueting-Houſe* to the Scaffold, to which, the Paſſage was made through a Window.

Divers Companies of Foot and Troops of Horſe were placed on each ſide of the Street, which hindred the Approach of the very numerous Spectators, and the King from ſpeaking what he had premeditated and prepared for them to hear.

Whereupon, his Majeſty finding himſelf diſappointed, omitted much of his intended Matter; and for what he meant to ſpeak, directed himſelf chiefly to Col. *Tomlinſon*.

I ſhall be very little heard of any Body here; I ſhall therefore ſpeak a Word unto you here.

Indeed I could hold my Peace very well, if I did not think that holding my Peace would make ſome Men think that I did ſubmit to the Guilt as well as to the Puniſhment: But I think it is my Duty, to God firſt, and to my Country, for to clear my ſelf both as an honeſt Man, a good King, and a good Chriſtian.

I ſhall begin firſt with my *Innocence*.

In troth, I think it not very needful for me to inſiſt long upon this; for all the World knows that I never did begin a War firſt with the *Two Houſes of Parliament*, and I call God to Witneſs, to whom I muſt ſhortly make an Account, that I never did intend for to encroach upon their Privileges; they began upon me; it is the Militia they began upon; they confeſt that the Militia was mine, but they thought it fit for to have it from me. And to be ſhort, if any Body will look to the Dates of Commiſſions, of their Commiſſions and mine, and likewiſe to the Declarations, they will ſee clearly that they began theſe unhappy Troubles, not I. So that as to the Guilt of theſe enormous Crimes that are laid againſt me, I

hope in God, that God will clear me of it. I will not (I am in Charity) God forbid that I ſhould lay it on the *Two Houſes of Parliament*; there is no neceſſity of either: I hope they are free of this Guilt. For I do believe that ill Inſtruments beween them and me, have been the chief Cauſe of all this Bloodſhed: So that by way of ſpeaking, as I find my ſelf clear of this, I hope and pray God that they may too. Yet for all this, God forbid that I ſhould be ſo ill a Chriſtian, as not to ſay that God's Judgments are juſt upon me; many Times he does pay Juſtice by an unjuſt Sentence; that is ordinary: I will only ſay this, That *an unjuſt Sentence* * *that I ſuffered to take Effect, is puniſhed now by an unjuſt Sentence upon me.* That *is*, —— So far I have ſaid, to ſhew you that I am an *Innocent Man.*

Now for to ſhew you that I am a *good Chriſtian.*

I hope there is a good Man † that will bear me Witneſs that I have forgiven all the World, and even thoſe in particular that have been the chief Cauſers of my Death: Who they are, God knows, I do not deſire to know, I pray God forgive them. But this is not all, my Charity muſt go further; I wiſh that they may repent; for indeed they have committed a great Sin in that particular; I pray God with St. *Stephen*, that *this be not laid to their Charge.* Nay, not only ſo, but that they may take the right Way to the Peace of the Kingdom: For my Charity commands me not only to forgive particular Men, but my Charity commands me to endeavour to the the laſt Gaſp the Peace of the Kingdom. So, Sirs, ‡ I do wiſh with all my Soul, (and I do hope there is ſome here will carry it further) that they may endeavour the Peace of the Kingdom.

Now, Sirs, I muſt ſhew you both how you are out of the way, and will put you in a way.

Firſt, You are out of the way: For certainly all the way you ever have had yet, as I could find by any Thing, is in the way of Conqueſt. Certainly this is an ill way; for Conqueſt, Sir, in my Opinion, is never juſt, except there be a good juſt Cauſe, either for Matter of wrong or juſt Title; and then if you go beyond it, the firſt Quarrel that you have to it. that makes it unjuſt, at the end that was juſt at the firſt. But if it be only Matter of Conqueſt, then it is a great *Robbery*, as a Pyrate ſaid to *Alexander* the Great, *That he was the great Robber, he was but a petty Robber.* And ſo, *Sir*, I do think the way that you are in is much out of the way.

Now, Sir, for to put you in the way; believe it, you will never do right, nor God will never proſper you, until you give God his Due, the King his Due (that is, *my Succeſſors*) and the People their Due: I am as much for them as any of you.

You

---

* *Upon the Earl of* Strafford.
† *Pointing to the Biſhop.*
‡ *Turning to ſome Gentlemen that wrote.*

You muſt give God his due, by regulating rightly his Church according to his Scripture, which is now out of Order. For to ſet you in a way particularly, now I cannot, but only this, a *National Synod, freely called, freely Debating among themſelves*, muſt ſettle this, when that every Opinion is freely and clearly heard.

For the *King*, indeed I will not.——

(Then turning to a Gentleman that touched the Axe, he ſaid,

Hurt not the Axe, that may hurt me.)

For the *King*, the Laws of the Land will clearly inſtruct you for that; therefore, becauſe it concerns my own particular, I only give you a Touch of it.

For the *People:* And truly I deſire their Liberty and Freedom as much as any Body whomſoever; but I muſt tell you that their Liberty and Freedom conſiſts in having of Government, thoſe Laws by which their Life and their Goods may be moſt their own. It is not for having ſhare in Government, *Sir*; that is nothing pertaining to them: a Subject and a Sovereign are clear different Things. And therefore until they do that, I mean, that you do put the People in that Liberty as I ſay, certainly they will never enjoy themſelves. Sirs, it was for this that now I am come here: If I would have given Way to an Arbitrary Way, for to have all Laws changed according to the Power of the Sword, I needed not to have come here; and therefore I tell you (and I pray God it be not laid to your Charge) that I am the *Martyr* of the People.

In troth, Sirs, I ſhall not hold you much longer, for I will only ſay this to you, *That in Truth I could have deſired ſome little Time longer, becauſe that I would have put this that I have ſaid in little more Order, and a little better digeſted than I have done*, and therefore I hope you will excuſe me.

I have delivered my Conſcience, I pray God that you do take thoſe Courſes that are beſt for the good of the Kingdom, and your own Salvation.

Then the Biſhop *ſaid.*

Though it be very well known what your Majeſty's Affections are to the Proteſtant Religion, yet it may be expected that you ſhould ſay ſomewhat for the World's Satisfaction in that Particular.

Whereupon the *King* replied.

I thank you very heartily, *My Lord*, for that, I had almoſt forgotten it.

In Troth, *Sirs*, My Conſcience in Religion, I think is very well known to all the World; and therefore I declare before you all, *That I die a Chriſtian according to the Profeſſion of the Church of* England,

as I found it left me by my Father; and this honeſt Man * I think, will witneſs it.

Then turning to the Officers, *He ſaid.*

Sirs, Excuſe me for this ſame, *I have a good Cauſe, and I have a gracious God,* I will ſay no more.

Then to Col. *Hacker*, he ſaid,

Take care that they do not put me to pain. And, *Sir*, this, and it pleaſe you.——

But a Gentleman coming near the Axe, the King ſaid,

Take heed of the Axe, pray take heed of the Axe.

And to the Executioner, *he ſaid,*

I ſhall ſay but very ſhort Prayers, and when I thruſt out my Hands——

Then he called to the Biſhop for his Cap, and having put it on, *asked the* Executioner,

Does my Hair trouble you?

Who deſired him to put it all under his Cap; which as he was doing, by the help of the *Biſhop* and the *Executioner*, he turned to the *Biſhop* and ſaid,

I have a good Cauſe, and a gracious God on my ſide.

The Biſhop *ſaid,*

There is but one Stage more †; which, though turbulent and troubleſome, yet it is a very ſhort one; you may conſider it will ſoon carry you a very great way; it will carry you from Earth to Heaven; and there you ſhall find, to your great Joy, the Prize you haſten to, a Crown of Glory.

The King *adjoins.*

I go from a corruptible to an incorruptible Crown, where no Diſturbance can be, no Diſturbance in the World.

Biſhop. You are exchanged from a Temporal to an Eternal Crown. A good Exchange!

Then the King *asked the* Executioner.

Is my Hair well?

And

---

* *Pointing to the Biſhop.*

† *Theſe Words were ſpoken upon occaſion of private Diſcourſe between his Majeſty and the Biſhop concerning the ſeveral Stages of Man's Life, and his Courſe through them, in Alluſion to Poſts and Stages in a Race.*

And taking off his *Cloak* and *George*, he delivered his *George* to the *Biſhop*, ſaying,

Remember.

Then putting off his Doublet, and being in his Waſt-coat, he put on his Cloak again, and looking upon the Block, ſaid to the *Executioner*,

You muſt ſet it faſt.

Executioner. It is faſt, *Sir*,

King. It might have been a little higher.

Executioner. It can be no higher, *Sir.*

King. When I put out my Hands this way, then ———

Then having ſaid a few Words to himſelf, as he ſtood, with Hands and Eyes lift up, immediately ſtooping down, he laid his Neck upon the Block, and the Executioner again putting his Hair under his Cap, his Majeſty thinking he had been going to ſtrike, bad him ſtay for the Sign.

Executioner. Yes I will and it pleaſe your Majeſty.

After a very ſhort pauſe, his Majeſty ſtretching forth his Hands, the *Executioner* ſevered his Head from his Body: Which being held up, and ſhewed to the People, was with his Body put into a Coffin covered with Velvet, and carried into his Lodging.

His Blood was taken up by divers Perſons for different Ends: By ſome as Trophies of their Villany, by others as Reliques of a Martyr; and in ſome hath had the ſame effect by the Bleſſing of God, which was often found in his Sacred Touch when living.

The Malice of his Enemies ended not with his Life: For when his Body was carried to St. *James*'s to be opened, they directed their Empiricks to ſearch for ſuch Symptoms as might diſgrace his Perſon or his Poſterity; but herein they were prevented by an honeſt Intruder, who gave a true Account of his ſound and excellent Temperament.

Being imbalmed and laid in a Coffin of Lead, to be ſeen for ſome Days by the People, at length upon *Wedneſday* the ſeventh of *February*, it was delivered to four of his Servants, *Herbert*, *Mildmay*, *Preſton* and *Joiner*, who with ſome others in Mourning Equipage attended the Hearſe that Night to *Windſor*, and placed it in the Room which was formerly the King's Bed-Chamber.

Next Day it was removed into the Dean's Hall, which was hung with black and made dark, and Lights were ſet burning round the Hearſe. About three Afternoon the Duke of *Richmond*, the Marqueſs of *Hartford*, the Earls of *Southampton* and *Lindſey*, and the Biſhop of *London*, (others that were ſent to, refuſing that laſt ſervice to the beſt of Princes) came thither with two Votes paſſed that Morning, whereby the ordering of the King's Burial was commited to the Duke, provided that the Expences thereof exceeded not Five Hundred Pound. This Order they ſhewed to Colonel *Whichcoat* the Governour of the Caſtle, deſiring the Interment might be in St. *George*'s Chappel, and according to the Form of the *Common-Prayer*: The latter Requeſt the Governour denied, ſaying, that

it

it was improbable the Parliament would permit the uſe of what they had ſo ſolemnly aboliſhed, and therein deſtroy their own Act.

The Lords replied,

That there was a difference betwixt deſtroying their own Act, and diſpenſing with it, and that no Power ſo binds its own Hands, as to diſable it ſelf in ſome Caſes. But all prevailed not.

The Governour had cauſed an ordinary Grave to be digged in the Body of the Church of *Windſor*, for the Interment of the Corps; which the Lords diſdaining, founds Means by the Direction of an honeſt Man, one of the old Knights, to uſe an Arifice to diſcover a Vault in the middle of the Quire, by the hollow Sound they might perceive in knocking with a Staff upon that place; that ſo it might ſeem to be their own accidental finding out, and no Perſon receive Blame for the Diſcovery. This Place they cauſed to be opened, and entring ſaw one large Coffin of Lead in the middle of the Vault covered with a Velvet Pall, and a leſſer on one ſide (ſuppoſed to be *Henry* the eighth, and his beloved Queen *Jane Saint-Maure*)on the other ſide was room left for another (probably intended for Queen *Katharine Parre*, who ſurvived him) where they thought fit to lay the King.

Hither the Hearſe was born by the Officers of the Garriſon, the four Lords bearing up the Corners of the Velvet Pall, and the Biſhop of *London* following. And in this Manner was this great King, upon *Friday* the Ninth of *February*, about three Afternoon, ſilently and without other Solemnity than of Sighs and Tears, committed to the Earth, the Velvet Pall being thrown into the Vault over the Coffin, to which was faſtned an Inſcription in Lead of theſe Words,

King CHARLES, 1648.

Painted-Chamber.

The Commiſſioners of the High-Court of Juſtice met, *Jan.* 30. 1648. *Poſt Merid.*

Col. *Hewſon.*
Col. *Okey.*
Mr. *Carey.*
Col. *Deane.*
Mr. *Allen.*
Mr *Scott.*
Col. *Titchbourne.*
Mr. *Holland.*
Col. *Wauton.*
Col. *Fa. Temple.*
Col. *Ludlow.*
Mr. *Meyne.*
Col. Rowe.

They

They or any Five of them ſhall have Power, and are hereby appointed a Committee to iſſue forth their Warrants under Five of their Hands, to Captain *John Blackwell*, for Diſburſing and Payment of ſuch Sums of Money as they ſhall think fit for the Service of this Court, upon ſuch Bills as they ſhall allow, and to take a particular Account of the Monies already diſburſed and to be diſburſed for the Service of this Court, and to make Report thereof to this Court, and are to meet in *Queen's-Court* on *Thurſday* at Nine in the Morning; and the Care hereof is particularly referred to Col. *Titchbourne*.

They thereupon Adjourned till the Morrow.

Painted-Chamber, Feb. 1. 1648.

The Commiſſioners being met, Lieutenant Colonel *Goffe*, Col. *Ewers*, Col. *Pride*, Sir *Hardreſs Waller*, together with the reſt of the Committee of Accounts, or any Three or Two of them, are appointed and deſired to take the Examination of *William Evans*, Gent. and of all others that ſhall be apprehended for any Words or Actions ſpoken or done againſt this Court, and to peruſe all ſuch Papers, Letters or Writings that ſhall be found with or about the ſaid Perſons, and to make Report thereof to the Court: And the Committee above mentioned, are added to the Committee of Account.

And thereupon Adjourn till the Morrow.

Painted-Chamber, Feb. 2. 1648.

The Commiſſioners being met.

Ordered, That Captain *Blackwell* ſhall iſſue forth ſuch Monies as ſhall be requiſite for Satisfaction of all contingent Charges not yet ſatisfied in Relation to the Trying, Judging and Execution of *Charles Stuart* late King of *England*, according to ſuch Warrant as he ſhall receive from the Committee appointed to take the Accounts of the Monies Diſburſed for the Service of this Court; and the ſaid Gentlemen are deſired to meet at *White-Hall* to Morrow Morning, and to take an exact Account from the ſaid Captain *Blackwell*, of the Monies by him Diſburſed.

John Hall was brought before this Court upon Information, That he ſhould be engaged in a Deſign againſt this Court; who being Examined concerning the ſame, and *Thomas Maurice*, *William Hitch* and *Thomas Baxter* Witneſſes produced againſt him, being Sworn and Examined, the ſaid *John Hall* was committed to the Cuſtody of the Marſhal General of the Army.

One

One Mr. *Nelſon* and Mr. *Evans* were likewiſe brought before the Court upon an Information Exhibited againſt them, of a Practice and Deſign, that they were engaged in againſt this Court; and *John Minſhaw*, *Mary Minſhaw*, *John White*, and *John Haydon* Clerk, were Sworn, and gave Evidence againſt them.

Ordered, That the ſaid *Evans* and *Nelſon* be committed to the Cuſtody of the *Marſhal General* of the Army, and Col. *Moore* is deſired to acquaint the Houſe herewith.

The *Lord Preſident* moved the Court, That in regard the Court's Commiſſion is now determining, care may be likewiſe taken for a ſufficient Remuneration for the Guards that have ſo freely and chearfully attended the *Lord Preſident* and the Court.

Col. *Tichbourne* Reports from the Committee appointed for that purpoſe, That the ſaid Committee have conſidered of a Gratuity to be given unto the reſpective Officers and Attendants of this Court; of which Allowances this Court doth approve, and deſire Col. *Harriſon* to move the Houſe for Monies to ſatisfie the ſame, and all other Charges of this Court.

Mr. *Garland.*	Commiſſary Gen. *Ireton.*
Mr. *Liſle.*	Mr. *Martin.*
Sir *Hardreſs Waller.*	Mr. *Scott.*
Mr. *Say.*	

The aforeſaid Members of this Court, or any Three of them are Ordered on the Behalf of this Court to peruſe and conſider the Subſtance of the Proceedings of this Court, and prepare the ſame to be preſented to the *Houſe of Commons*; and Mr. *Say* is ordered to preſent it.

By the Expiration of the Month in the Act mentioned, the Commiſſion determined.

Atteſted *per John Phelpes*, Clerk to the ſaid Court.

Examined, and Atteſted to be a True Copy from the Original. By me, *John Nalſon.*

THE END.